Basic information

2012/0140(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EU/Moldova Visa Facilitation Agreement: amendments and additions See also 2007/0175(CNS) **Subject** 6.40.02 Relations with central and eastern Europe 7.10.04 External borders crossing and controls, visas **Geographical area** Moldova	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	MARINESCU Marian-Jean (PPE)	11/10/2012

Committee for opinion	Rapporteur for opinion	Appointed
AFET Foreign Affairs	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Foreign Affairs	3199	2012-11-19
Economic and Financial Affairs ECOFIN	3178	2012-06-22
Agriculture and Fisheries	3237	2013-05-15

European Commission

Commission DG	Commissioner
Migration and Home Affairs	MALMSTRÖM Cecilia

Key events

Date	Event	Reference	Summary
04/06/2012	Preparatory document	COM(2012)0268	Summary

17/07/2012	Legislative proposal published	12012/2012	Summary
11/09/2012	Committee referral announced in Parliament		
19/11/2012	Resolution/conclusions adopted by Council		Summary
20/03/2013	Vote in committee		
27/03/2013	Committee report tabled for plenary, 1st reading/single reading	A7-0128/2013	Summary
18/04/2013	Decision by Parliament	T7-0178/2013	Summary
18/04/2013	Results of vote in Parliament		
15/05/2013	Act adopted by Council after consultation of Parliament		
15/05/2013	End of procedure in Parliament		
20/06/2013	Final act published in Official Journal		

Technical information

Procedure reference	2012/0140(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Amendments and repeals	See also 2007/0175(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 077-p2 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/7/09698

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE504.072	31/01/2013	
Committee report tabled for plenary, 1st reading/single reading		A7-0128/2013	27/03/2013	Summary
Text adopted by Parliament, 1st reading/single reading		T7-0178/2013	18/04/2013	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	10871/2012	19/06/2012	
Legislative proposal	12012/2012	17/07/2012	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2012)0268	04/06/2012	Summary

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

Final act	
Decision 2013/0296 OJ L 168 20.06.2013, p. 0001	Summary

EU/Moldova Visa Facilitation Agreement: amendments and additions

2012/0140(NLE) - 04/06/2012

PURPOSE: to conclude the Agreement between the European Union and Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.

PROPOSED ACT: Council Decision.

BACKGROUND: the Visa Facilitation Agreement between the European Community and the Republic of Moldova has been in force since 1 January 2008.

Article 12 of the Visa Facilitation Agreement establishes a Joint Committee tasked inter alia with monitoring the implementation of the Agreement and suggesting amendments and additions thereto. At its 5th meeting on 27 May 2010, the Joint Committee made a number of suggestions for amendments and additions to the Agreement.

On that basis the Commission presented on 29 October 2010 a recommendation to the Council in order to authorise the Commission to open negotiations with Moldova on an Agreement amending the Visa Facilitation Agreement. Following the authorisation given by the Council on 11 April 2011, the negotiations with Moldova on an Agreement amending the Visa Facilitation Agreement were opened on 13 May 2011 in Brussels. Three further negotiation rounds took place on 29 August 2011 in Chisinau and on 16 November 2011 and 14 December 2011 in Brussels.

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 aim of this draft Council Decision is to conclude, on behalf of the EU, the Agreement between the European Union and the Republic of Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.

Main provisions: the draft amending Agreement foresees inter alia a visa waiver for Moldovan citizens who are holders of biometric service passports. Given the importance of this for the European Union, a letter has been sent on behalf of the European Union to the Republic of Moldova on 28 February 2012 confirming that the European Union may **invoke a partial suspension of the amended Agreement** and in particular the provision providing the visa waiver for holders of biometric service passports, in accordance with the suspension clause of the amended Agreement, if this visa waiver would be misused by the Republic of Moldova or would lead to a threat to public security. This approach was endorsed by Member States at the Visa Working Party on 10 January 2012. The Republic of Moldova agreed to this approach by email of 13 February 2012.

The final content of it can be summarised as follows:

(1) simplified requirements for documents to be presented regarding the purpose of the journey for the following categories of applicants:

- drivers conducting international cargo and passenger transportation services and journalists: have been reviewed;

- members of the technical crew accompanying journalists, close relatives of EU citizens residing in the territory of the Member State of which they are nationals, and participants in official EU cross-border cooperation programmes: have been introduced;

(2) clarification of the provisions on the period of validity of multiple-entry visas for the following categories of applicants:

- the categories listed in Article 5(1) of the Visa Facilitation Agreement as well as spouses, children and parents visiting citizens of the European Union residing in the territory of the Member State of which they are nationals, and the technical crew accompanying journalists in a professional capacity: in principle, multiple-entry visas valid for five years shall be issued. Multiple-entry visas with a shorter period of validity shall only be issued where the expiry date of the travel document requires this or where the need or the intention to travel frequently or regularly is manifestly limited to a shorter period;

- the categories listed in Article 5(2) of the Visa Facilitation Agreement and participants in official EU cross-border cooperation programmes: in principle, multiple-entry visas valid for one year shall be issued. Multiple-entry visas with a shorter period of validity shall only be issued where the expiry date of the travel document requires this or where the need or the intention to travel frequently or regularly is manifestly limited to a shorter period;

(3) a full waiving of the visa fee for the following additional categories of applicants: close relatives of citizens of the European Union residing in the territory of the Member State of which they are nationals, the technical crew accompanying journalists in a professional capacity, participants aged 25 years or less in seminars, conferences, sports, cultural or educational events, organised by non-profit organisations, representatives of civil society organisations undertaking trips for the purposes of educational training, seminars, conferences, participants in official EU cross-border cooperation programmes;

(4) the possibility for an external service provider, with whom a Member State cooperates in view of issuing a visa, to charge a service fee of up to EUR 30, while maintaining the possibility of all applicants to lodge their applications directly at a consulate; on the specific request of the Republic of Moldova, a European Union Declaration is attached to the amending Agreement on the European Union's commitment to outsource the reception of visa applications only as a last resort;

(5) the possibility to waive the requirement to appear in person when lodging an application;

(6) the exemption from the visa requirement for short stays for the citizens of the Republic of Moldova who are holders of biometric service passports: the amending Agreement clarifies that this does not affect the applicability of provisions of existing bilateral Agreements or arrangements between individual Member States and the Republic of Moldova on the exemption of the holders of non-biometric service passports from the visa requirement for short stays.

The amending Agreement comprises:

- a Joint Declaration is attached to the amending Agreement on the cooperation on travel documents and regular exchange of information on document security;
- replying to a specific request formulated by the Republic of Moldova, a European Union Declaration is attached to the amending Agreement on documents to be submitted when applying for short-stay;
- replying to a specific request formulated by the Republic of Moldova, a European Union Declaration is attached to the amending Agreement on facilitations for family members not covered by the legally binging provisions of the Agreement.

Territorial provisions are provided for to take into account:

- the specific situations of Denmark, Ireland and the United Kingdom are reflected in the preamble;
- the association of Switzerland and Liechtenstein to the implementation, application and development of the Schengen *acquis* is reflected in a Joint Declaration to the amending Agreement.

BUDGETARY IMPLICATION: the proposal has no implications for the EU budget.

EU/Moldova Visa Facilitation Agreement: amendments and additions

2012/0140(NLE) - 17/07/2012 - Legislative proposal

PURPOSE: to conclude the Agreement between the European Union and Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.

PROPOSED ACT: Council Decision.

BACKGROUND: the Visa Facilitation Agreement between the European Community and the Republic of Moldova has been in force since 1 January 2008.

Article 12 of the Visa Facilitation Agreement establishes a Joint Committee tasked inter alia with monitoring the implementation of the Agreement and suggesting amendments and additions thereto. At its 5th meeting on 27 May 2010, the Joint Committee made a number of suggestions for amendments and additions to the Agreement.

On that basis the Commission presented on 29 October 2010 a recommendation to the Council in order to authorise the Commission to open negotiations with Moldova on an Agreement amending the Visa Facilitation Agreement. Following the authorisation given by the Council on 11 April 2011, the negotiations with Moldova on an Agreement amending the Visa Facilitation Agreement were opened on 13 May 2011 in Brussels.

In accordance with a Council Decision, the amending Agreement was signed, subject to its conclusion.

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

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 aim of this draft Council Decision is to conclude, on behalf of the EU, the Agreement between the European Union and the Republic of Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.

Main provisions: the draft amending Agreement foresees inter alia a visa waiver for Moldovan citizens who are holders of biometric service passports. Given the importance of this for the European Union, a letter has been sent on behalf of the European Union to the Republic of Moldova on 28 February 2012 confirming that the European Union may **invoke a partial suspension of the amended Agreement** and in particular the provision providing the visa waiver for holders of biometric service passports, in accordance with the suspension clause of the amended Agreement, if this visa waiver would be misused by the Republic of Moldova or would lead to a threat to public security. This approach was endorsed by Member States at the Visa Working Party on 10 January 2012. The Republic of Moldova agreed to this approach by email of 13 February 2012.

The final content of it can be summarised as follows:

(1) simplified requirements for documents to be presented regarding the purpose of the journey for the following categories of applicants:

- drivers conducting international cargo and passenger transportation services and journalists: have been reviewed;

- members of the technical crew accompanying journalists, close relatives of EU citizens residing in the territory of the Member State of which they are nationals, and participants in official EU cross-border cooperation programmes: have been introduced;

(2) clarification of the provisions on the period of validity of multiple-entry visas for the following categories of applicants:

- the categories listed in Article 5(1) of the Visa Facilitation Agreement as well as spouses, children and parents visiting citizens of the European Union residing in the territory of the Member State of which they are nationals, and the technical crew accompanying journalists in a professional capacity: in principle, multiple-entry visas valid for five years shall be issued. Multiple-entry visas with a shorter period of validity shall only be issued where the expiry date of the travel document requires this or where the need or the intention to travel frequently or regularly is manifestly limited to a shorter period;

- the categories listed in Article 5(2) of the Visa Facilitation Agreement and participants in official EU cross-border cooperation programmes: in principle, multiple-entry visas valid for one year shall be issued. Multiple-entry visas with a shorter period of validity shall only be issued where the expiry date of the travel document requires this or where the need or the intention to travel frequently or regularly is manifestly limited to a shorter period;

(3) a full waiving of the visa fee for the following additional categories of applicants: close relatives of citizens of the European Union residing in the territory of the Member State of which they are nationals, the technical crew accompanying journalists in a professional capacity, participants aged 25 years or less in seminars, conferences, sports, cultural or educational events, organised by non-profit organisations, representatives of civil society organisations undertaking trips for the purposes of educational training, seminars, conferences, participants in official EU cross-border cooperation programmes;

(4) the possibility for an external service provider, with whom a Member State cooperates in view of issuing a visa, to charge a service fee of up to EUR 30, while maintaining the possibility of all applicants to lodge their applications directly at a consulate; on the specific request of the Republic of Moldova, a European Union Declaration is attached to the amending Agreement on the European Union's commitment to outsource the reception of visa applications only as a last resort;

(5) the possibility to waive the requirement to appear in person when lodging an application;

(6) the exemption from the visa requirement for short stays for the citizens of the Republic of Moldova who are holders of biometric service passports: the amending Agreement clarifies that this does not affect the applicability of provisions of existing bilateral Agreements or arrangements between individual Member States and the Republic of Moldova on the exemption of the holders of non-biometric service passports from the visa requirement for short stays.

The amending Agreement comprises:

- a Joint Declaration is attached to the amending Agreement on the cooperation on travel documents and regular exchange of information on document security;
- replying to a specific request formulated by the Republic of Moldova, a European Union Declaration is attached to the amending Agreement on documents to be submitted when applying for short-stay;
- replying to a specific request formulated by the Republic of Moldova, a European Union Declaration is attached to the amending Agreement on facilitations for family members not covered by the legally binging provisions of the Agreement.

Territorial provisions are provided for to take into account:

- the specific situations of Denmark, Ireland and the United Kingdom are reflected in the preamble;
- the association of Switzerland and Liechtenstein to the implementation, application and development of the Schengen *acquis* is reflected in a Joint Declaration to the amending Agreement.

BUDGETARY IMPLICATION: the proposal has no implications for the EU budget.

EU/Moldova Visa Facilitation Agreement: amendments and additions

2012/0140(NLE) - 04/06/2012 - Preparatory document

PURPOSE: to conclude the Agreement between the European Union and Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.

PROPOSED ACT: Council Decision.

BACKGROUND: the Visa Facilitation Agreement between the European Community and the Republic of Moldova has been in force since 1 January 2008.

Article 12 of the Visa Facilitation Agreement establishes a Joint Committee tasked inter alia with monitoring the implementation of the Agreement and suggesting amendments and additions thereto. At its 5th meeting on 27 May 2010, the Joint Committee made a number of suggestions for amendments and additions to the Agreement.

On that basis the Commission presented on 29 October 2010 a recommendation to the Council in order to authorise the Commission to open negotiations with Moldova on an Agreement amending the Visa Facilitation Agreement. Following the authorisation given by the Council on 11 April 2011, the negotiations with Moldova on an Agreement amending the Visa Facilitation Agreement were opened on 13 May 2011 in Brussels. Three further negotiation rounds took place on 29 August 2011 in Chisinau and on 16 November 2011 and 14 December 2011 in Brussels.

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 aim of this draft Council Decision is to conclude, on behalf of the EU, the Agreement between the European Union and the Republic of Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.

Main provisions: the draft amending Agreement foresees inter alia a visa waiver for Moldovan citizens who are holders of biometric service passports. Given the importance of this for the European Union, a letter has been sent on behalf of the European Union to the Republic of Moldova on 28 February 2012 confirming that the European Union may **invoke a partial suspension of the amended Agreement** and in particular the provision providing the visa waiver for holders of biometric service passports, in accordance with the suspension clause of the amended Agreement, if this visa waiver would be misused by the Republic of Moldova or would lead to a threat to public security. This approach was endorsed by Member States at the Visa Working Party on 10 January 2012. The Republic of Moldova agreed to this approach by email of 13 February 2012.

The final content of it can be summarised as follows:

(1) simplified requirements for documents to be presented regarding the purpose of the journey for the following categories of applicants:

- drivers conducting international cargo and passenger transportation services and journalists: have been reviewed;

- members of the technical crew accompanying journalists, close relatives of EU citizens residing in the territory of the Member State of which they are nationals, and participants in official EU cross-border cooperation programmes: have been introduced;

(2) clarification of the provisions on the period of validity of multiple-entry visas for the following categories of applicants:

- the categories listed in Article 5(1) of the Visa Facilitation Agreement as well as spouses, children and parents visiting citizens of the European Union residing in the territory of the Member State of which they are nationals, and the technical crew accompanying journalists in a professional capacity: in principle, multiple-entry visas valid for five years shall be issued. Multiple-entry visas with a shorter period of validity shall only be issued where the expiry date of the travel document requires this or where the need or the intention to travel frequently or regularly is manifestly limited to a shorter period;

- the categories listed in Article 5(2) of the Visa Facilitation Agreement and participants in official EU cross-border cooperation programmes: in principle, multiple-entry visas valid for one year shall be issued. Multiple-entry visas with a shorter period of validity shall only be issued where the expiry date of the travel document requires this or where the need or the intention to travel frequently or regularly is manifestly limited to a shorter period;

(3) a full waiving of the visa fee for the following additional categories of applicants: close relatives of citizens of the European Union residing in the territory of the Member State of which they are nationals, the technical crew accompanying journalists in a professional capacity, participants aged 25 years or less in seminars, conferences, sports, cultural or educational events, organised by non-profit organisations, representatives of civil society organisations undertaking trips for the purposes of educational training, seminars, conferences, participants in official EU cross-border cooperation programmes;

(4) the possibility for an external service provider, with whom a Member State cooperates in view of issuing a visa, to charge a service fee of up to EUR 30, while maintaining the possibility of all applicants to lodge their applications directly at a consulate; on the specific request of the Republic of Moldova, a European Union Declaration is attached to the amending Agreement on the European Union's commitment to outsource the reception of visa applications only as a last resort;

(5) the possibility to waive the requirement to appear in person when lodging an application;

(6) the exemption from the visa requirement for short stays for the citizens of the Republic of Moldova who are holders of biometric service passports: the amending Agreement clarifies that this does not affect the applicability of provisions of existing bilateral Agreements or arrangements between individual Member States and the Republic of Moldova on the exemption of the holders of non-biometric service passports from the visa requirement for short stays.

The amending Agreement comprises:

- a Joint Declaration is attached to the amending Agreement on the cooperation on travel documents and regular exchange of information on document security;
- replying to a specific request formulated by the Republic of Moldova, a European Union Declaration is attached to the amending Agreement on documents to be submitted when applying for short-stay;
- replying to a specific request formulated by the Republic of Moldova, a European Union Declaration is attached to the amending Agreement on facilitations for family members not covered by the legally binging provisions of the Agreement.

Territorial provisions are provided for to take into account:

- the specific situations of Denmark, Ireland and the United Kingdom are reflected in the preamble;
- the association of Switzerland and Liechtenstein to the implementation, application and development of the Schengen *acquis* is reflected in a Joint Declaration to the amending Agreement.

BUDGETARY IMPLICATION: the proposal has no implications for the EU budget.

EU/Moldova Visa Facilitation Agreement: amendments and additions

2012/0140(NLE) - 19/11/2012

The Council adopted a series of conclusion on the Action Plan on Visa Liberalisation in respect of the **Republic of Moldova**.

In favour of a visa-free system: in its conclusions, the Council reaffirms the EU’s commitment to the shared objective of **visa-free travel for the citizens of Moldova** in due course provided that the conditions for well-managed and secure mobility are in place. In this context, an Action Plan was presented to the Moldovan authorities in 2011, as well as reports on its implementation.

Building on these reports, the Council shares the analysis that the Republic of Moldova has fulfilled all the benchmarks under the first phase of the Action Plan on Visa Liberalisation, and decides to **launch the assessment of the benchmarks set out under the second phase**.

The Council invites the Commission to continue supporting Moldova in implementing the Action Plan on Visa Liberalisation, as well as to continue reporting about the implementation thereof, including on the follow-up to the Commission’s report on possible migratory and security impacts, with a view to deciding on the fulfilment of all the benchmarks of the Action Plan on Visa Liberalisation.

EU/Moldova Visa Facilitation Agreement: amendments and additions

2012/0140(NLE) - 27/03/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the recommendation by Marian-Jean MARINESCU (EPP, RO) on the draft Council decision on the conclusion of the Agreement between the European Union and the Republic of Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.

The committee recommends that the European Parliament give its consent to the conclusion of the Agreement which seeks to facilitate the life of citizens and strengthen people-to-people contacts by reducing the time and cut down the costs associated with travelling in the Schengen area.

EU/Moldova Visa Facilitation Agreement: amendments and additions

2012/0140(NLE) - 18/04/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution on the draft Council decision on the conclusion of the Agreement between the European Union and the Republic of Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.

Parliament consents to the conclusion of the Agreement.

EU/Moldova Visa Facilitation Agreement: amendments and additions

2012/0140(NLE) - 13/05/2013 - Final act

PURPOSE: to conclude the Agreement between the European Union and Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.

NON-LEGISLATIVE ACT: Council Decision 2013/296/EU on the conclusion of the Agreement between the European Union and the Republic of Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas.

BACKGROUND: in accordance with Council Decision 2012/353/EU, the Agreement between the European Union and the Republic of Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas was signed on 27 June 2012, subject to its conclusion.

It is now appropriate to approve the agreement on behalf of the European Union.

CONTENT: by means of this Decision, the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas, which entered into force on 1 January 2008, is amended as follows:

- a visa waiver for Moldovan citizens who are holders of biometric service passports;
- simplified requirements for documents to be presented regarding the purpose of the journey for certain categories of applicants;
- clarification of the provisions on the period of validity of multiple-entry visas for certain categories of applicants;
- a full waiving of the visa fee for certain categories of applicants;
- the possibility for an external service provider, with whom a Member State cooperates in view of issuing a visa, to charge a service fee of up to EUR 30;
- the possibility to waive the requirement to appear in person when lodging an application;
- the exemption from the visa requirement for short stays for the citizens of the Republic of Moldova who are holders of biometric service passports.

Furthermore, the amending agreement includes:

- a Joint Declaration on the cooperation on travel documents and regular exchange of information on document security;
- replying to a specific request formulated by the Republic of Moldova, a European Union Declaration is attached on documents to be submitted when applying for short-stay;
- replying to a specific request formulated by the Republic of Moldova, a European Union Declaration is attached on facilitations for family members not covered by the legally binding provisions of the Agreement.

Territorial measures: the specific situations of Denmark, Ireland and the United Kingdom are reflected in the preamble of the amending agreement. The association of Switzerland and Liechtenstein in the implementation, application and development of the Schengen *acquis* is reflected in a Joint Declaration annexed to the amending Agreement.

ENTRY INTO FORCE: the Decision enters into force on 13.05.2013. The date of the entry into force of the agreement shall be published in the Official Journal of the European Union.