Basic information

2017/0176(NLE) NLE - Non-legislative enactments	Procedure completed
EU/Saint Kitts and Nevis Agreement: short-stay visa waiver See also 2009/0017(CNS) **Subject** 6.40.06 Relations with ACP countries, conventions and generalities 7.10.04 External borders crossing and controls, visas **Geographical area** Saint Kitts and Nevis	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	PAVEL Emilian (S&D)	25/09/2017
	Shadow rapporteur UNGUREANU Traian (PPE) STEVENS Helga (ECR) HYUSMENOVA Filiz (ALDE) VERGIAT Marie-Christine (GUE/NGL) VALERO Bodil (Verts/ALE)	

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	3571	2017-11-06
Environment	3666	2018-12-20

European Commission

Commission DG	Commissioner
Migration and Home Affairs	AVRAMOPOULOS Dimitris

Key events

Date	Event	Reference	Summary
		COM(2017)0398	Summary

27/07/2017	Preparatory document		
24/10/2017	Legislative proposal published	12393/2017	Summary
28/05/2018	Committee referral announced in Parliament		
27/09/2018	Vote in committee		
02/10/2018	Committee report tabled for plenary, 1st reading/single reading	A8-0306/2018	Summary
23/10/2018	Decision by Parliament	T8-0391/2018	Summary
23/10/2018	Results of vote in Parliament		
20/12/2018	Act adopted by Council after consultation of Parliament		
20/12/2018	End of procedure in Parliament		
21/01/2019	Final act published in Official Journal		

Technical information

Procedure reference	2017/0176(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Amendments and repeals	See also 2009/0017(CNS)
Legal basis	Treaty on the Functioning of the European Union TFEU 077-p2 Treaty on the Functioning of the European Union TFEU 218-p6
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/10551

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE616.784	02/02/2018	
Committee report tabled for plenary, 1st reading/single reading		A8-0306/2018	02/10/2018	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0391/2018	23/10/2018	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	12391/2017	24/10/2017	
Legislative proposal	12393/2017	24/10/2017	Summary

European Commission

Document type	Reference	Date	Summary

Document attached to the procedure	COM(2017)0397	27/07/2017	
Preparatory document	COM(2017)0398	27/07/2017	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2019/0080 OJ L 018 21.01.2019, p. 0036	Summary

EU/Saint Kitts and Nevis Agreement: short-stay visa waiver

2017/0176(NLE) - 23/10/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted, by 592 votes to 51 with 12 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the Union, of the Agreement between the European Union and the Federation of Saint Kitts and Nevis amending the Agreement between the European Community and the Federation of Saint Kitts and Nevis on the short-stay visa waiver.

Parliament **gave its consent** to the conclusion of the agreement.

The new visa waiver agreement will enable citizens not only to derive full benefit from the ACP-EU partnership but continuing to participate in it by travelling at a reduced, economical and practical cost under a clearer and more coherent legal framework. It significantly deepens relations between the European Union and the Federation of St Kitts and Nevis, which is of great political importance in the context of the Cotonou Agreement.

EU/Saint Kitts and Nevis Agreement: short-stay visa waiver

2017/0176(NLE) - 24/10/2017 - Legislative proposal

PURPOSE: to conclude, on behalf of the Union, the Agreement between the European Union and Saint Kitts and Nevis amending the Agreement between the European Community and Saint Kitts and Nevis on the short-stay visa waiver.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: by its Decision 2009/901/EC, the Council concluded the Agreement between the European Community and Saint Kitts and Nevis on the short-stay visa waiver.

The Agreement provides for visa-free travel for the citizens of the Union and for the citizens of Saint Kitts and Nevis when travelling to the territory of the other Contracting Party for a maximum period of three months during a six months period.

Regulation (EU) No 610/2013 of the European Parliament and of the Council introduced horizontal changes in the Union's visa and border *acquis* and defined a short stay as a maximum of **90 days in any 180-day period**.

It is necessary to incorporate this **new definition** into the Agreement in order to fully harmonise the Union's short-stay regime.

The Commission negotiated, on behalf of the Union, an agreement with Saint Kitts and Nevis which amends the Agreement between the European Community and Saint Kitts and Nevis on the short-stay visa waiver (the 'amending Agreement').

In accordance with a Council Decision, the amending Agreement has been signed.

CONTENT: the draft Council Decision now seeks the approval, on behalf of the Union, of the Agreement between the European Union and Saint Kitts and Nevis amending the Agreement between the European Community and Saint Kitts and Nevis on the short-stay visa waiver.

The provisions of the Agreement do not apply to the United Kingdom or to Ireland.

EU/Saint Kitts and Nevis Agreement: short-stay visa waiver

2017/0176(NLE) - 27/07/2017 - Preparatory document

PURPOSE: to conclude an agreement amending the agreement between the European Community and St Kitts and Nevis on the short-stay visa waiver.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: by Decision of 30 November 2009, the Council concluded the agreement between the European Community and St Kitts and Nevis on the short-stay visa waiver.

Regulation (EU) No 610/2013 amended the Convention implementing the Schengen Agreement (CISA), Regulation (EC) No 562/2006 (Schengen Borders Code) and Regulation (EC) No 810/2009 (the Visa Code). In so doing, it has **redefined the term of 'short-stay'** for third-country nationals in the Schengen area.

As from 18 October 2013, for third-country nationals – irrespective of being visa required or exempt – who intend to travel to the Schengen area for a short-stay, the maximum duration of authorised stay is defined as '90 days in any 180-day period'.

The agreement between the Union and St Kitts and Nevis on the short-stay visa waiver should incorporate this new definition.

With a view to implementing the new definition of short stay provided for in the amendment to the Schengen Borders Code, the Commission adopted on 16 July 2014 a recommendation for a Council Decision authorising negotiations to amend the Schengen the short-stay visa waiver between the European Union and **seven countries**: Antigua and Barbuda, the Bahamas, Barbados, Brazil, Mauritius, **Saint Kitts and Nevis** and the Seychelles.

The negotiations with St Kitts and Nevis were successfully finalised by the initialling of the amending agreement on 28 July 2016.

CONTENT: this proposal is presented to the Council to authorise the conclusion of the **Agreement amending the Agreement between the European Community and St Kitts and Nevis** on the short-stay visa waiver.

The amendments introduced by the final agreement cover the following points:

Duration of stay: the final agreement provides for visa-free travel for the citizens of the European Union and for the citizens of St Kitts and Nevis when travelling to the other Contracting Party for **a maximum period of 90 days in any 180-day period** (instead of a maximum period of three months during a six months period following the date of first entry).

A joint statement on the interpretation of the 90-day period over any 180-day period is attached to the amending agreement.

Suspension of the agreement: the agreement provides that suspension of the waiver shall be lifted if the suspension is no longer required.

All other provisions of the existing agreement between the European Community and St Kitts and Nevis on the short-stay visa waiver remain unaffected by the amending agreement, including the territorial scope.

The provisions of the agreement shall not apply to the United Kingdom or to Ireland.

EU/Saint Kitts and Nevis Agreement: short-stay visa waiver

2017/0176(NLE) - 02/10/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Emilian PAVEL (S&D, RO) on the draft Council decision on the conclusion, on behalf of the Union, of the Agreement between the European Union and the Federation of St Kitts and Nevis amending the Agreement between the European Community and the Federation of St Kitts and Nevis on the short-stay visa waiver.

The committee recommended that the European Parliament **give its consent** to the conclusion of the agreement.

The Agreement amending the Agreement between the European Community and the Federation of St Kitts and Nevis ensures legal coherence and harmonisation between Member States, in accordance with the **new definition of short-term stay** provided by the Schengen Borders Code amendment, which clarifies the meaning of this term (a stay of up to 90 days in any 180-day period).

St Kitts and Nevis is a member of the African, Caribbean and Pacific Group of States, Association of Caribbean States, Caribbean Community, Non-Aligned Movement, Organisation of Eastern Caribbean States, Organization of American States, United Nations and World Trade Organization.
The explanatory statement accompanying the recommendation notes the following points:

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economically, St Kitts and Nevis was virtually a sugar monocrop economy until the late 1970s, when the government backed a drive into small-scale industrialisation. Tourism has become the largest source of foreign exchange;

- **politically speaking**, the Federation of St Kitts and Nevis is a constitutional monarchy. The country is a sovereign democratic federal state, with a unicameral National Assembly;
- **the EU's political dialogue** with the various ACP countries and the Federation of St Kitts and Nevis in particular is gradually increasing.

The new visa waiver agreement will enable citizens not only to derive full benefit from the ACP-EU partnership but continuing to participate in it by travelling at a reduced, economical and practical cost under a clearer and more coherent legal framework. It significantly deepens relations between the European Union and the Federation of St Kitts and Nevis, which is of great political importance in the context of the Cotonou Agreement.

EU/Saint Kitts and Nevis Agreement: short-stay visa waiver

2017/0176(NLE) - 27/07/2017

PURPOSE: to conclude an agreement amending the agreement between the European Community and St Kitts and Nevis on the short-stay visa waiver.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: by Decision of 30 November 2009, the Council concluded the agreement between the European Community and St Kitts and Nevis on the short-stay visa waiver.

Regulation (EU) No 610/2013 amended the Convention implementing the Schengen Agreement (CISA), Regulation (EC) No 562/2006 (Schengen Borders Code) and Regulation (EC) No 810/2009 (the Visa Code). In so doing, it has **redefined the term of 'short-stay'** for third-country nationals in the Schengen area.

As from 18 October 2013, for third-country nationals – irrespective of being visa required or exempt – who intend to travel to the Schengen area for a short-stay, the maximum duration of authorised stay is defined as '90 days in any 180-day period'.

The agreement between the Union and St Kitts and Nevis on the short-stay visa waiver should incorporate this new definition.

With a view to implementing the new definition of short stay provided for in the amendment to the Schengen Borders Code, the Commission adopted on 16 July 2014 a recommendation for a Council Decision authorising negotiations to amend the Schengen the short-stay visa waiver between the European Union and **seven countries**: Antigua and Barbuda, the Bahamas, Barbados, Brazil, Mauritius, **Saint Kitts and Nevis** and the Seychelles.

The negotiations with St Kitts and Nevis were successfully finalised by the initialling of the amending agreement on 28 July 2016.

CONTENT: this proposal is presented to the Council to authorise the conclusion of the **Agreement amending the Agreement between the European Community and St Kitts and Nevis** on the short-stay visa waiver.

The amendments introduced by the final agreement cover the following points:

Duration of stay: the final agreement provides for visa-free travel for the citizens of the European Union and for the citizens of St Kitts and Nevis when travelling to the other Contracting Party for **a maximum period of 90 days in any 180-day period** (instead of a maximum period of three months during a six months period following the date of first entry).

A joint statement on the interpretation of the 90-day period over any 180-day period is attached to the amending agreement.

Suspension of the agreement: the agreement provides that suspension of the waiver shall be lifted if the suspension is no longer required.

All other provisions of the existing agreement between the European Community and St Kitts and Nevis on the short-stay visa waiver remain unaffected by the amending agreement, including the territorial scope.

The provisions of the agreement shall not apply to the United Kingdom or to Ireland.

EU/Saint Kitts and Nevis Agreement: short-stay visa waiver

2017/0176(NLE) - 20/12/2018 - Final act

PURPOSE: to approve the conclusion of the amending agreement between the European Union and St Kitts and Nevis on the short-stay visa waiver.

NON-LEGISLATIVE ACT: Council Decision (EU) 2019/80 on the conclusion, on behalf of the Union, of the Agreement between the European Union and the Federation of St Kitts and Nevis amending the Agreement between the European Community and the Federation of Saint Kitts and Nevis on the short-stay visa waiver.

CONTENT: the Council approved, on behalf of the European Union, the Agreement between the EU and St Kitts and Nevis amending the Agreement on the short-stay visa waiver.

As a reminder, the Commission negotiated, on behalf of the Union an agreement with St Kitts and Nevis which amends the Agreement between the European Community and St Kitts and Nevis on the short-stay visa waiver. The amending agreement has been signed.

The amending agreement ensures legal coherence and harmonisation between Member States, in accordance with the new definition of short-term stay provided for by the amendment of the Schengen Borders Code. It therefore provides for a visa-free travel regime for EU citizens and citizens of St Kitts and Nevis travelling to the territory of the other Contracting Party for a stay of up to 90 days in any 180-day period.

This Decision constitutes a development of the provisions of the Schengen acquis in which the United Kingdom and Ireland do not participate. Consequently, these two countries are not bound by this decision or subject to its application.

ENTRY INTO FORCE: 20.12.2018.