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RECOMMENDATION

on the draft Council decision on the conclusion of the Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union

(05674/2013 – C7-0110/2013 – 2012/0271(NLE))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Mariya Gabriel

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the draft Council decision on the conclusion of the Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union (05674/2013 – C7-0110/2013 – 2012/0271(NLE))

(Consent)

The European Parliament,

- having regard to the draft Council decision (05674/2013),
 - having regard to the draft Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union (14203/2012),
 - having regard to the request for consent submitted by the Council in accordance with Article 77(2) point (a) and Article 218(6), second subparagraph, point (a), of the Treaty on the Functioning of the European Union (C7-0110/2013),
 - having regard to Rules 81 and 90(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Civil Liberties, Justice and Home Affairs (A7-0266/2013),
1. Consents to the conclusion of the Agreement;
 2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and of Republic of Cape Verde.

EXPLANATORY STATEMENT

Relations between the European Union and the Republic of Cape Verde are governed by the ACP-EU Partnership Agreement (the Cotonou Agreement) signed on 23 June 2005 and since revised, by an EU-Cape Verde Special Partnership and by a Mobility Partnership between the European Union and Cape Verde, signed on 5 June 2008. In the context of the EU-Cape Verde Special Partnership, the European Union has adopted a political approach that goes beyond the ordinary donor-beneficiary relationship and aims to deepen relations with Cape Verde, promote good governance, security and stability, sustainable development and poverty alleviation, culture and the construction of an information and knowledge society, and technology and standards convergence.

The Republic of Cape Verde is a stable and democratic country. Cape Verde, like the European Union, embraces the values and principles of democracy and good governance and upholds human rights and the rule of law. In 2007 the Commission adopted a communication on the future of relations between the European Union and Cape Verde in which it acknowledged the special and strong historical relations existing between the two parties, based on close human and cultural links and shared socio-political values. The high standards and practices in the field of governance in which Cape Verde can justly be proud fully justify the further development of its relationship with the European Union.

In this context, the process of strengthening relations between the European Union and Cape Verde will undoubtedly contribute to improving the operation of justice and increased respect for basic freedoms. The two agreements recently concluded with Cape Verde, one on facilitation of the issuance of short-term visas, the other on the readmission of persons residing without authorisation, will contribute fully to achieving these objectives.

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The rapporteur therefore approves the conclusion of these two interdependent and parallel agreements with the Republic of Cape Verde, which are to enter into force simultaneously, and which will push out the frontiers of the area of liberty, security and justice, extending it beyond the European Union.

The two agreements represent, first and foremost, a very important stage, a step forward in the relations between the European Union and the Republic of Cape Verde. There is a very clear desire for closer ties between Cape Verde and the European Union. During the early years of the twenty-first century, Cape Verde's government and civil society expressed the wish on a number of occasions to enhance and extend their relations with the European Union.

Furthermore, these agreements are the first agreements concluded between an ACP country and the European Union on short-term visas and the readmission of persons residing without authorisation. They are of both political and procedural importance. That being so, the conclusion of these agreements represents an encouraging step forward and a strong signal from the European Union.

These agreements are also relevant from a regional point of view and will support EU efforts to enhance cooperation with other ACP countries. For Cape Verde, this also represents

progress and an encouragement to strengthen its relations with the European Union.

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First of all, in practical terms the agreement on the facilitation of the issue of short-term visas will facilitate, on the basis of reciprocity, the issue of visas to citizens of Cape Verde and the European Union for an intended stay of no more than 90 days per period of 180 days. The agreement sets out simplified conditions for the issue of multiple-entry visas valid for five years, for example to members of governments or permanent members of official delegations, and for one year for scientists, journalists and students. In addition, multiple-entry visas that are valid for at least two years and at most five years will be issued provided that during the previous two years the applicant has made good use of a one-year multiple-entry visas and that the need or intention to travel frequently or regularly is not clearly limited to a shorter stay;

Furthermore, the agreement provides an exemption from the visa requirement for members of official delegations, children under 12, school pupils, students, researchers, participants aged 25 years or less in seminars, conferences or sports, cultural or educational events, organised by non-profit organisations;

It also provides for the levying of a service charge of no more than EUR 30 on all visa applicants. The extension of visas will be free of charge for citizens of Cape Verde and the European Union who are unable to leave the territory of the Member States or Cape Verde respectively by the date indicated in their visas for reasons of force majeure.

The agreement provides for a limited exemption for citizens of Cape Verde or of the Member States who are holders of valid diplomatic or service passports and for citizens of Cape Verde and of the Union who have lost their identity documents, or from whom these documents have been stolen during their stay.

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.

An agreement to facilitate the issue of visas is of major importance in the life of citizens. Visa liberalisation will reduce the time and cut down the costs associated with travelling to the Schengen area. The agreement will also facilitate people-to-people contacts, which is an important condition for a steady development of economic, humanitarian, cultural, scientific and other ties. The visa system also intensifies contacts between peoples and embodies the principle of freedom of movement, which is one of the fundamental rights of the European Union.

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The rapporteur is very keen for the European Parliament to be involved in and informed about the opening and progress of the negotiations towards the signature of such agreements. Accordingly the rapporteur recommends that the European Parliament should monitor the

application of these agreements. The rapporteur highlights the fact that the European Union is represented only by the Commission, assisted by experts from Member States, on the Joint Readmission Committee. As a representative of European citizens and defender of democracy and the principles of the European Union, the European Parliament could be involved in the work of the Joint Committee. The rapporteur encourages the Commission to review the composition of the joint management committees in future agreements. The rapporteur calls on the Commission to inform the European Parliament, at every stage, of the outcome of the implementation of the agreements, in accordance with the principle of cooperation between the institutions.

Finally, the rapporteur recommends that the members of Parliament's Committee on Civil Liberties, Justice and Home Affairs support this report and that the European Parliament give its consent.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	9.7.2013
Result of final vote	+: 43 -: 1 0: 0
Members present for the final vote	Jan Philipp Albrecht, Roberta Angelilli, Rita Borsellino, Emine Bozkurt, Arkadiusz Tomasz Bratkowski, Salvatore Caronna, Philip Claeyns, Carlos Coelho, Agustín Díaz de Mera García Consuegra, Ioan Enciu, Frank Engel, Cornelia Ernst, Tanja Fajon, H��l��ne Flautre, Kinga G��l, Kinga G��ncz, Nathalie Griesbeck, Sylvie Guillaume, Anna Hedh, Salvatore Iacolino, Sophia in 't Veld, Teresa Jim��nez-Becerril Barrio, Timothy Kirkhope, Juan Fernando L��pez Aguilar, Monica Luisa Macovei, Svetoslav Hristov Malinov, V��ronique Mathieu Houillon, Claude Moraes, Antigoni Papadopoulou, Georgios Papanikolaou, Carmen Romero L��pez, Judith Sargentini, Birgit Sippel, Csaba S��gor, Rui Tavares, Nils Torvalds, Kyriacos Triantaphyllides, Wim van de Camp, Axel Voss, Renate Weber, Josef Weidenholzer, Auke Zijlstra
Substitute(s) present for the final vote	Mariya Gabriel, Stanimir Ilchev