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Committee on Civil Liberties, Justice and Home Affairs

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PE398.473v01-00

AMENDMENTS 23-28

Draft report

(PE398.385v01-00)

Michael Cashman

Proposal for a decision of the European Parliament and of the Council introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by Bulgaria, the Czech Republic, Cyprus, Latvia, Hungary, Malta, Poland, Romania, Slovenia and Slovakia of certain documents as equivalent to their national visas for the purposes of transit through their territories

Proposal for a decision (COM(2007)0508 – C6-0279/2007 – 2007/0185(COD))

Text proposed by the Commission

Amendments by Parliament

Amendment by Michael Cashman

Amendment 23

Recital 3

(3) Bulgaria and Romania are therefore required to issue national visas for entry or transit through their territory to third country nationals holding a uniform visa or long stay visa or residence permit issued by a Member State fully implementing the Schengen acquis or similar document issued by Member **States** not yet fully implementing the Schengen acquis.

(3) Bulgaria and Romania are therefore required to issue national visas for entry or transit through their territory to third country nationals holding a uniform visa or long stay visa or residence permit issued by a Member State fully implementing the Schengen acquis or similar document issued by **the** Member **State** not yet fully implementing the Schengen acquis (**Cyprus**).

Or. en

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Justification

This amendment replaces AM 2 of the draft report. This procedure will only apply to Cyprus.

Amendment by Michael Cashman

Amendment 24

Article 4, paragraph 1 a (new)

Cyprus may also recognise the national short-term visas, long-term visas and residence permits issued by Bulgaria and Romania listed in the Annex as equivalent to its national visas for the purpose of transit.

Or. en

Justification

This amendment replaces AM 17 of the draft report; a reference to the Annex was added.

Amendment by Michael Cashman

Amendment 25

Article 8, paragraph 2

It shall apply until the date ***to be*** determined by the Council ***Decision adopted pursuant to*** Article 4(2) of the 2005 Act of Accession.

It shall apply ***to Bulgaria, Cyprus and Romania*** until the date determined by the ***respective*** Council ***decisions*** adopted pursuant to ***Article 3(2) of the 2003 Act of Accession and to*** Article 4(2) of the 2005 Act of Accession, ***on which all the provisions of the Schengen acquis in the field of the common visa policy and the movement of third-country nationals legally residing within the territory of the Member States will apply to that Member State.***

After the date determined by the relevant Council decision in relation to a Member State, that Member State shall recognise, during their period of validity, national short-term visas issued before that date until the last day of the sixth month from that date, for the purpose of transit through

its territory, provided that that Member State has notified the Commission in accordance with Article 7. During that period, the conditions set out in this Decision shall apply.

Or. en

Justification

See justification to AM 1 of the draft report. This AM replaces AM 21 of the draft report. A transitional period was introduced in the Council Decision on the full application of the provisions of the Schengen acquis and should be as well introduced here for when Bulgaria, Cyprus or Romania will enter the Schengen area.

Amendment by Michael Cashman

Amendment 26

Annex

List of documents issued by Bulgaria, Visas

- 1. Виза за летищен транзит (виза вид "А") - Airport transit visa (type „А”)**
- 2. Визи за транзитно преминаване (виза вид "В") - Transit visas (type „В”)**
 - **Еднократна транзитна виза - Single-transit visa**
 - **Двукратна транзитна виза - Double-transit visa**
 - **Многократна транзитна виза - Multiple-transit visa**
- 3. Визи за краткосрочно пребиваване (виза вид "С") - Short-stay visas (type „С”)**
 - **Еднократна входна виза - Single-entry visa**
 - **Многократна входна виза - Multiple-entry visa**
- 4. Виза за дългосрочно пребиваване (виза вид "D") - Long-stay visa (type „D”)**

- 1. Виза за транзитно преминаване (виза вид "В") - Transit visa (type „В”)**

- 2. Виза за краткосрочно пребиваване (виза вид "С") - Short-stay visa (type „С”)**

- 3. Виза за дългосрочно пребиваване (виза вид "D") - Long-stay visa (type „D”)**

Or. en

Justification

The Bulgarian delegation in the Council asked for this change arguing that type A visas were

wrongly included in the list because it does not allow for entering the territory of Bulgaria and cannot be used for transit purposes.

Amendment by Michael Cashman

Amendment 27

Annex

List of documents issued by Bulgaria, Residence permits, points 3 and 4

3. Карта на бежанец – Refugee Residence Permit

3. Удостоверение за завръщане в Република България на чужденец - Laissez-passer for the return to the Republic of Bulgaria of a third-country national

4. Удостоверение за пътуване зад граница на чужденец с хуманитарен статут - Residence Permit to a third country national granted a humanitarian protection status by the Republic of Bulgaria

Or. en

Justification

The Bulgarian delegation in the Council asked for this change arguing that points 3 and 4 needed to be deleted because the Community legislation (Regulation 1932/2006) exempts these categories from visa requirement.

Amendment by Michael Cashman

Amendment 28

Annex

List of documents issued by Romania, Visas

– viză de tranzit, identificată prin simbolul B (transit visa, identified by B symbol)

– viză de scurtă ședere, identificată prin simbolul C (short-stay visa, identified by C symbol)

– viză de lungă ședere, identificată prin unul dintre următoarele simboluri, în funcție de activitatea pe care urmează să o desfășoare în România străinul căruia i-a fost acordată:

– viză de tranzit, identificată prin simbolul B (transit visa, identified by B symbol)

– viză de scurtă ședere, identificată prin simbolul C (short-stay visa, identified by C symbol)

– viză de lungă ședere, identificată prin unul dintre următoarele simboluri, în funcție de activitatea pe care urmează să o desfășoare în România străinul căruia i-a fost acordată:

- (i) desfășurarea de activități economice, identificată prin simbolul D/AE
 - (ii) desfășurarea de activități profesionale, identificată prin simbolul D/AP
 - (iii) desfășurarea de activități comerciale, identificată prin simbolul D/AC
 - (iv) angajare în munca, identificată prin simbolul D/AM
 - (v) studii, identificată prin simbolul D/SD
 - (vi) reîntregirea familiei, identificată prin simbolul D/VF
 - (vii) ***intrarea în România a străinilor căsătoriți cu cetățeni români, identificată prin simbolul D/CR***
 - (viii) activități religioase sau umanitare, identificată prin simbolul D/RU
 - (ix) viză diplomatică și viză de serviciu, identificată prin simbolul DS
 - (x) alte scopuri, identificată prin simbolul D/AS
- (long stay visa, identified by one of the following symbols, according to the activity that the alien receiving the visa is to perform in Romania:
- (i) economic activities, identified by D/AE symbol
 - (ii) professional activities, identified by D/AP symbol
 - (iii) commercial activities, identified by D/AC symbol
 - (iv) employment, identified by D/AM symbol
 - (v) studies, identified by D/SD symbol
 - (vi) family reunification, identified by D/VF symbol
 - (vii) ***entry on the Romanian territory of aliens married to Romanian citizens, identified by D/CR symbol***
 - (viii) religious or humanitarian activities, identified by D/RU symbol
 - (ix) diplomatic visa and service visa,

- (i) desfășurarea de activități economice, identificată prin simbolul D/AE
 - (ii) desfășurarea de activități profesionale, identificată prin simbolul D/AP
 - (iii) desfășurarea de activități comerciale, identificată prin simbolul D/AC
 - (iv) angajare în munca, identificată prin simbolul D/AM
 - (v) studii, identificată prin simbolul D/SD
 - (vi) reîntregirea familiei, identificată prin simbolul D/VF
 - (vii) ***activități de cercetare științifică, identificată prin simbolul D/CS***
 - (viii) activități religioase sau umanitare, identificată prin simbolul D/RU
 - (ix) viză diplomatică și viză de serviciu, identificată prin simbolul DS
 - (x) alte scopuri, identificată prin simbolul D/AS
- (long stay visa, identified by one of the following symbols, according to the activity that the alien receiving the visa is to perform in Romania:
- (i) economic activities, identified by D/AE symbol
 - (ii) professional activities, identified by D/AP symbol
 - (iii) commercial activities, identified by D/AC symbol
 - (iv.) employment, identified by D/AM symbol
 - (v) studies, identified by D/SD symbol
 - (vi) family reunification, identified by D/VF symbol
 - (vii) ***scientific research activities, identified by D/CS symbol***
 - (viii) religious or humanitarian activities, identified by D/RU symbol
 - (ix) diplomatic visa and service visa,

identified by DS symbol

(x) other purposes, identified by D/AS symbol)

identified by DS symbol

(x) other purposes, identified by D/AS symbol)

Or. en

Justification

The Romanian delegation in the Council asked for this modification following a change in the national legislation.