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Committee on Foreign Affairs

2009/0104(CNS)

1.10.2009

AMENDMENTS

4 - 19

Draft opinion
Sarah Ludford
(PE428.127v01-00)

on the proposal for a Council regulation amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

Proposal for a regulation – amending act
(COM(2009)0366 – C7-0112/2009 – 2009/0104(CNS))

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United in diversity

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Amendment 4

Anna Maria Corazza Bildt, Kinga Gál, Mario Mauro, Nadezhda Mihaylova, Ernst Strasser

Proposal for a regulation – amending act Recital 1

Text proposed by the Commission

(1) The composition of the lists of third countries in Annexes I and II to Regulation (EC) No 539/2001 of 15 March 2001 should be, and should remain, consistent with the criteria laid down in recital (5) thereto. ***Some third countries, for which the situation has changed as regards these criteria, should be transferred from one Annex to the other.***

Amendment

(1) ***The visa liberalisation dialogue initiated by the Commission, with a regional approach and a European perspective, includes all the Western Balkan countries, namely Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia, on an equal footing and without any discrimination.***

The composition of the list of third countries in Annexes I and II to Regulation (EC) No 539/2001 of 15 March 2001 should be, and should remain, consistent with the criteria laid down in recital (5) thereto. ***The same criteria laid down in the roadmap for visa liberalisation should be applied to all countries concerned.***

Some of the Western Balkan countries that have met the benchmarks should be admitted to the visa-free travel regime from 1 January 2010.

Those countries that, despite having made substantial progress, have not fully met the benchmarks should be granted the same privilege as soon as they meet the benchmarks as set out in the roadmap.

Or. en

Amendment 5
Kristian Vigenin

Proposal for a regulation – amending act
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) With the aim of furthering the implementation of the Thessaloniki agenda, the Commission [within the limits of its competence] should start a visa liberalisation dialogue with Kosovo¹ and establish a roadmap for visa liberalisation similar to those established with other Western Balkan countries. This is without prejudice to the status of Kosovo.

¹ 22 Member States have recognised Kosovo as an independent state while five have not.

Or. en

Justification

This amendment reminds that Kosovo, which is not recognised by all the Member States as an independent state, is neither covered by a visa liberalisation dialogue with Serbia nor by a separate dialogue with authorities in Pristina. It is essential to remind that visa liberalisation process covers the whole region as provided in the Thessaloniki agenda and other EU documents.

Amendment 6
Ulrike Lunacek, Marije Cornelissen, Franziska Katharina Brantner on behalf of the Green/EFA group

Proposal for a regulation – amending act
Recital 3

Text proposed by the Commission

Amendment

(3) For persons residing in Kosovo under UNSCR 1244/99 and persons whose citizenship certificate has been issued for the territory of Kosovo under UNSCR

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1244/99, a specific Coordination Directorate in Belgrade will be in charge of collecting their passport applications and the issuance of passports. However, in view of security concerns regarding in particular the potential for illegal migration, the holders of Serbian passports issued by this specific Coordination Directorate (in Serbian : Koordinaciona uprava) should be excluded from the visa free regime for Serbia.

1244/99, a specific Coordination Directorate in Belgrade will be in charge of collecting their passport applications and the issuance of passports. However, in view of security concerns regarding in particular the potential for illegal migration, the holders of Serbian passports issued by this specific Coordination Directorate (in Serbian : Koordinaciona uprava) should be excluded from the visa free regime for Serbia. ***In view of the fact that the border between Serbia and Kosovo is regarded by the Belgrade authorities as an administrative boundary, which might negatively influence effective inter-state border controls, the Commission should request the Belgrade government to implement at that border/boundary the same measures and controls as it does with all the other internationally recognised borders.***

Or. en

Justification

The Ministry of Interior of the Republic of Serbia and EULEX signed in August a protocol on police cooperation which was requested by the Commission in order for Serbia to be granted the EU Visa Waiver. The agreement on customs has not yet been negotiated. Regardless of the status of Kosovo Serbia should apply and implement to the boundary/border with Kosovo the same standard controls it does to all other internationally recognised borders.

Amendment 7 Sarah Ludford

Proposal for a regulation – amending act Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) With the aim of furthering the implementation of the Thessaloniki agenda, the Commission should start a visa dialogue with Kosovo so as to establish a roadmap for visa liberalisation similar to those established with other Western Balkan countries. This should be

without prejudice to Member States' competence as regards the recognition of Kosovo as an independent state.

Or. en

Amendment 8

Anna Maria Corazza Bildt, Kinga Gál, Mario Mauro, Nadezhda Mihaylova, Ernst Strasser

**Proposal for a regulation – amending act
Recital 3 a (new)**

Text proposed by the Commission

Amendment

(3a) With the aim of furthering the implementation of the Thessaloniki agenda and as part of the regional approach, the Commission should start a visa dialogue with Kosovo and establish a tailor-made roadmap for visa facilitation and liberalisation similar to the roadmap established with other Western Balkan countries. This should be without prejudice to Member States' competence as regards the recognition of Kosovo as an independent state.

Or. en

Amendment 9

Ulrike Lunacek, Marije Cornelissen, Franziska Katharina Brantner on behalf of the Green/EFA group

**Proposal for a regulation – amending act
Recital 3 a (new)**

Text proposed by the Commission

Amendment

(3a) With the aim of strengthening the conditionality of the Stabilisation and Association Process, the contractual relations of the individual country concerned with the European Union represent a key factor affecting the

decision to amend Regulation (EC) No 539/2001. Visa-free travel will improve participation in the common market that is gradually being established with Albania, Bosnia and Herzegovina, Montenegro and the former Yugoslav Republic of Macedonia, and will thereby contribute to trade, innovation and growth.

Or. en

Justification

Stabilization and Association Agreements are currently in force: with the former Yugoslav Republic of Macedonia (entry into force on 1 May 2004) and with Croatia (entry into force on 1 February 2005). The SAA with Albania was signed in June 2006 and the interim agreement (IA) on trade and trade-related matters entered into force on 1 December 2006. The SAA and IA with Montenegro were signed on 15 October 2007 and the IA entered into force on 1 January 2008, the agreements with Bosnia and Herzegovina were signed on 16 June 2008 and the IA entered into force 1 July 2008. Agreements with Serbia are not yet signed and no interim agreement is in force.

Amendment 10 Adrian Severin

Proposal for a regulation – amending act Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) With the aim of furthering the implementation of the Thessaloniki agenda, the Commission should start a visa liberalisation dialogue with the Kosovar authorities and establish a roadmap for visa liberalisation similar to those established with the Western Balkan countries. This should be without prejudice to the status of Kosovo and with due respect for UNSC resolution 1244/99.

Or. en

Amendment 11

María Paloma Muñoz De Urquiza, Maria Eleni Koppa, Raimon Obiols, Kyriakos Mavronikolas, Evgeni Kirilov

**Proposal for a regulation – amending act
Recital 3 a (new)**

Text proposed by the Commission

Amendment

(3a) With the aim of furthering the implementation of the Thessaloniki agenda, the Commission should start a visa liberalisation dialogue with Kosovo and establish a roadmap for visa liberalisation similar to those established with other Western Balkan countries. This should be without prejudice to the status of Kosovo and with due respect for UNSC resolution 1244/99.

Or. en

Amendment 12

Geoffrey Van Orden, Charles Tannock

**Proposal for a regulation – amending act
Recital 4 a (new)**

Text proposed by the Commission

Amendment

(4a) This Regulation shall not be adopted until a full assessment has been made of its potential impact on the extension into EU Member States of organised crime networks that focus on drug-trafficking, trafficking of stolen vehicles, smuggling of cigarettes and petrol and, in particular, human trafficking.

Or. en

Amendment 13

Anna Maria Corazza Bildt, Kinga Gál, Mario Mauro, Nadezhda Mihaylova, Ernst Strasser

**Proposal for a regulation – amending act
Recital 4 a (new)**

Text proposed by the Commission

Amendment

(4a) As regards Albania and Bosnia and Herzegovina, the Commission should, without delay and not later than in the spring of 2010, present its report on the achievements made by those two countries in meeting all the benchmarks set in the roadmap.

Thereafter and without delay, the Commission should present a proposal for the corresponding amending regulation.

Without prejudice to the legal framework under which the European Union will be operating by the spring of 2010 and the auspicial role that the European Parliament, for its part, could play, the Council commits itself to immediately finalise the corresponding Council regulation extending the visa-free travel regime to Albania and Bosnia and Herzegovina.

The Council calls upon Member States and the Commission to then take all necessary legal and technical measures to ensure immediate implementation of the visa-free travel regime.

Or. en

Amendment 14

Anna Maria Corazza Bildt, Kinga Gál, Mario Mauro, Nadezhda Mihaylova, Ernst Strasser

**Proposal for a regulation – amending act
Recital 4 b (new)**

Text proposed by the Commission

Amendment

(4b) The Council, while commending the relevant recent progress achieved by Albania and Bosnia and Herzegovina towards meeting the benchmarks, calls on the relevant Albanian and Bosnia and Herzegovina authorities to adopt, without delay, the necessary reforms to fully meet the benchmarks.

Or. en

Amendment 15

Anna Maria Corazza Bildt, Kinga Gál, Mario Mauro, Nadezhda Mihaylova, Ernst Strasser

**Proposal for a regulation – amending act
Recital 4 c (new)**

Text proposed by the Commission

Amendment

(4c) The Council asks the Commission to assist the relevant Albanian and Bosnian and Herzegovina authorities in this respect.

Or. en

Amendment 16

Cristian Dan Preda, Renate Weber

**Proposal for a regulation – amending act
Recital 5 a (new)**

Text proposed by the Commission

Amendment

(5a) This process of visa liberalisation should serve as a reference for defining relations with the Eastern partners of the

European Union and particularly with Moldova, a country in which there has recently been a significant democratic shift.

Or. en

Justification

According to article 7 of the Joint Declaration of the Prague Eastern Partnership Summit, the European Union aims at the full liberalization of the visa regime with its Eastern neighbours, provided that they comply with the necessary conditions.

Amendment 17
Sarah Ludford

Proposal for a regulation – amending act
Article 1 – point 1 – point -a (new)
Regulation (EC) No 539/2001
Annex I – Part 1

Text proposed by the Commission

Amendment

(-a) in Part 1, the reference to Albania and Bosnia and Herzegovina shall be amended as follows:

"Albania *

Bosnia and Herzegovina *

**** The name of the country shall be deemed deleted from this Annex without delay immediately after the assessment by the Commission that the country in question meets all the benchmarks set in the roadmap for visa liberalisation and a notice about the assessment is published in the Official Journal of the European Union."***

Or. en

Amendment 18

Anna Maria Corazza Bildt, Kinga Gál, Mario Mauro, Nadezhda Mihaylova, Ernst Strasser

Proposal for a regulation – amending act

Article 1 – point 1 – point -a (new)

Regulation (EC) No 539/2001

Annex I – Part 1

Text proposed by the Commission

Amendment

(-a) in Part 1, double asterisks ** and a corresponding footnote should be added to the references to Albania and Bosnia and Herzegovina, as follows:

"Albania **"

"Bosnia and Herzegovina **"

****** The exemption from the visa requirement granted to holders of biometric passports will apply on the basis of a legislative act to be adopted following the presentation of a corresponding proposal by the European Commission."***

Or. en

Amendment 19

Sarah Ludford

Proposal for a regulation – amending act

Article 1 – point 2

Regulation (EC) No 539/2001

Annex II – Part 1

Text proposed by the Commission

Amendment

2) In Annex II, Part 1, the following references shall be inserted:

"the former Yugoslav Republic of Macedonia *

Montenegro *

Serbia [excluding holders of Serbian passports issued by the Serbian Coordination Directorate (in Serbian: *Koordinaciona uprava*)] *

2) In Annex II, Part 1, the following references shall be inserted:

"Albania * **"

"Bosnia and Herzegovina * **"

the former Yugoslav Republic of Macedonia **

Montenegro **

Serbia [excluding holders of Serbian passports issued by the Serbian Coordination Directorate (in Serbian:

Koordinaciona uprava)] **

* The exemption from the visa requirement only applies to holders of biometric passports".

**** The exemption from the visa requirement shall apply without delay immediately after the assessment by the Commission that the country in question meets all the benchmarks set in the roadmap for visa liberalisation and a notice about the assessment is published in the Official Journal of the European Union.***

** The exemption from the visa requirement only applies to holders of biometric passports".

Or. en