



EUROPEAN PARLIAMENT

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Plenary sitting

A7-0059/2013

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RECOMMENDATION

on the draft Council decision on the conclusion of the Agreement between the European Union and Ukraine amending the Agreement between the European Community and Ukraine on the facilitation of the issuance of visas (12282/2012 – C7-0200/2012 – 2012/0138(NLE))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Claude Moraes

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 Ukraine amending the Agreement between the European Community and Ukraine on the facilitation of the issuance of visas
(12282/2012 – C7-0200/2012 – 2012/0138(NLE))**

(Consent)

The European Parliament,

- having regard to the draft Council decision (12282/2012),
 - having regard to the Agreement between the European Union and Ukraine amending the Agreement between the European Community and Ukraine on the facilitation of the issuance of visas (11044/2012),
 - 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 (C7-0200/2012),
 - 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 and the opinion of the Committee on Foreign Affairs (A7-0059/2013);
1. Consents to 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 Ukraine.

EXPLANATORY STATEMENT

The Visa Facilitation Agreement between the European Community and the Ukraine has been in force since 1st January 2008. This agreement has been extremely successful with a low visa refusal rate of 3.3%. Despite these successes, an evaluation of the functioning of the agreement highlighted some additional amendments that should be made to correct any misrepresentations or differences in interpretations of the text.

This amended Visa Facilitation Agreement between the European Union and Ukraine builds on the successes of the original agreement and offers substantial improvements for Ukrainian citizens. Some of the key amendments to the agreement are as follows:

- Simplified requirements for documents regarding the purpose of the journey for a wider category of applicants including representatives of civil society organisations, technical crew accompanying journalists and members of professions participating in international exhibitions, conferences and seminars.
- Provisions on the period of validity of multiple-entry visas have been clarified and made much more concise.
- The system of implementing an urgency fee has been reviewed to introduce improved provisions. The urgency fee is now abolished for people who submit last minute applications, but introduced, when applicants make a last minute request because they live a long distance from a consulate.
- Clarifications on provisions concerning the cost of outsourcing. In the original agreement, doubts had been raised on the legality of the extra service fee attached for outsourcing given that it would raise the price of a visa above the €35 figure as stated in the agreement.
- Member States have endorsed widening the scope of the agreement to include Visa Waiver for Service Passport holders if it is a biometric passport. As a safeguard, the agreement includes a Declaration that the EU will revoke this provision should there be any abuse of this visa waiver or problems associated for public order reasons.

The establishment of a visa free regime for Ukrainian citizens travelling to EU countries should not depend on the political climate of the EU-Ukraine relations. Ukrainians, like citizens of the EU countries travelling to Ukraine, should have the right of visa free travel within the EU as stipulated under the terms of this agreement.

A visa facilitation agreement is of great significance in people's lives and strengthens contacts between people making it easier for ordinary citizens to travel. The changes in this agreement facilitate travelling for representatives of civil society, NGO's, journalists and young people. A joint commitment between the EU and Ukraine can effectively contribute to the development of democracy, the rule of law and human rights by promoting easier contact and travel for people between the two contacting states.

The Rapporteur proposes that, in view of these positive improvements, the European Parliament should support the consent of this agreement.

23.1.2013

OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS

for the Committee on Civil Liberties, Justice and Home Affairs

on the draft Council decision on the conclusion of the Agreement between the European Union and Ukraine amending the Agreement between the European Community and Ukraine on the facilitation of the issuance of visas
(12282/2012 – C7-0200/2012 – 2012/0138(NLE))

Rapporteur: Paweł Robert Kowal

SHORT JUSTIFICATION

The amended visa facilitation agreement between the European Union and Ukraine introduces clear improvements in the delivery of visas for Ukrainian citizens compared to the agreement currently in force. It simplifies the requirements for documents to be presented by certain visa applicants and expands the category of persons who can benefit from a 1-year or a 5-year multiple-entry visa.

The new categories covered by the amended agreement include representatives of civil society organisations travelling regularly to Member States for the purposes of educational training or conferences, participants in cross-border cooperation programmes funded by the EU, students and post-graduate students, representatives of religious communities, people participating for professional reasons in conferences or seminars organised on EU territory; also, persons who need to come regularly to the EU for medical reasons and persons accompanying them.

It therefore constitutes a valuable step on the way towards the establishment of a visa-free regime between Ukraine and the European Union that has been advocated by the European Parliament. It is also a clear signal towards the Ukrainian citizens that the EU is seriously committed to strengthen its partnership with the Ukrainian society and to further develop and facilitate people-to-people contacts, in line with the renewed European Neighbourhood Policy.

The Committee on Foreign Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to propose that Parliament give its consent.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	22.1.2013
Result of final vote	+: 51 -: 1 0: 0
Members present for the final vote	Pino Arlacchi, Franziska Katharina Brantner, Elmar Brok, Arnaud Danjean, Michael Gahler, Ana Gomes, Richard Howitt, Anna Ibrisagic, Jelko Kacin, Tunne Kelam, Nicole Kiil-Nielsen, Maria Eleni Koppa, Andrey Kovatchev, Wolfgang Kreissl-Dörfler, Eduard Kukan, Vytautas Landsbergis, Ryszard Antoni Legutko, Krzysztof Lisek, Sabine Lösing, Ulrike Lunacek, Mario Mauro, Francisco José Millán Mon, Annemie Neyts-Uyttebroeck, Raimon Obiols, Pier Antonio Panzeri, Ioan Mircea Pașcu, Mirosław Piotrowski, Bernd Posselt, Fiorello Provera, Libor Rouček, Tokia Saïfi, Nikolaos Salavrakos, György Schöpflin, Marek Siwiec, Sophocles Sophocleous, Charles Tannock, Inese Vaidere, Sir Graham Watson, Karim Zérubi
Substitute(s) present for the final vote	Charalampos Angourakis, Göran Färm, Elisabeth Jeggle, Barbara Lochbihler, Emilio Menéndez del Valle, Teresa Riera Madurell, Potito Salatto, Indrek Tarand, Traian Ungureanu
Substitute(s) under Rule 187(2) present for the final vote	Maria Da Graça Carvalho, Jolanta Emilia Hibner, Ivari Padar, Monika Panayotova

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	21.2.2013
Result of final vote	+: 39 -: 3 0: 7
Members present for the final vote	Jan Philipp Albrecht, Mario Borghezio, Rita Borsellino, Emine Bozkurt, Arkadiusz Tomasz Bratkowski, Philip Claeys, Carlos Coelho, Ioan Enciu, Frank Engel, Kinga Gál, Kinga Göncz, Nathalie Griesbeck, Sylvie Guillaume, Ágnes Hankiss, Anna Hedh, Sophia in 't Veld, Livia Járóka, Teresa Jiménez-Becerril Barrio, Timothy Kirkhope, Juan Fernando López Aguilar, Baroness Sarah Ludford, Monica Luisa Macovei, Véronique Mathieu Houillon, Anthea McIntyre, Nuno Melo, Louis Michel, Claude Moraes, Georgios Papanikolaou, Carmen Romero López, Judith Sargentini, Birgit Sippel, Rui Tavares, Nils Torvalds, Wim van de Camp, Axel Voss, Renate Weber, Josef Weidenholzer, Auke Zijlstra
Substitute(s) present for the final vote	Dimitrios Droutsas, Mariya Gabriel, Marian-Jean Marinescu, Jan Mulder, Raúl Romeva i Rueda, Kārlis Šadurskis, Salvador Sedó i Alabart
Substitute(s) under Rule 187(2) present for the final vote	Knut Fleckenstein, Karin Kadenbach, Ivailo Kalfin, Iosif Matula