



EUROPSKI PARLAMENT

2009 - 2014

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*Dokument s plenarne sjednice*

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**A7-0155/2014**

4.3.2014

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## **PREPORUKA**

o prijedlogu Odluke Vijeća o zaključivanju Sporazuma između Europske unije i Republike Azerbajdžan o pojednostavljenju izdavanja viza (17846/2013 – C7-0078/2014 – 2013/0356(NLE))

Odbor za građanske slobode, pravosuđe i unutarnje poslove

Izvjestiteljica: Mariya Gabriel

***Oznake postupaka***

- \* Postupak savjetovanja
- \*\*\* Postupak suglasnosti
- \*\*\*I Redovni zakonodavni postupak (prvo čitanje)
- \*\*\*II Redovni zakonodavni postupak (drugo čitanje)
- \*\*\*III Redovni zakonodavni postupak (treće čitanje)

(Navedeni se postupak temelji na pravnoj osnovi predloženoj u nacrtu akta.)

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## NACRT ZAKONODAVNE REZOLUCIJE EUROPSKOG PARLAMENTA

**o nacrtu Odluke Vijeća o zaključivanju Sporazuma između Europske unije i Republike Azerbajdžan o pojednostavljenju izdavanja viza (17846/2013 – C7-0078/2014 – 2013/0356(NLE))**

**(suglasnost)**

*Europski parlament,*

- uzimajući u obzir nacrt Odluke vijeća (17846/2013),
  - uzimajući u obzir nacrt Sporazuma između Europske unije i Republike Azerbajdžan o pojednostavljenju izdavanja viza (15554/2013),
  - uzimajući u obzir zahtjev Vijeća za davanje suglasnosti u skladu s člankom 77. stavkom 2. točkom (a) i člankom 218. stavkom 6. podstavkom 2. točkom (a) Ugovora o funkcioniranju Europske unije (C7-0078/2014),
  - uzimajući u obzir članak 81. i članak 90. stavak 7. Poslovnika,
  - uzimajući u obzir preporuku Odbora za građanske slobode, pravosuđe i unutarnje poslove te mišljenje Odbora za vanjske poslove (A7-0155/2014),
1. daje suglasnost za sklapanje sporazuma;
  2. nalaže svojem predsjedniku da stajalište Parlamenta proslijedi Vijeću, Komisiji te vladama i parlamentima država članica i Republike Azerbajdžana.

## EXPLANATORY STATEMENT

The EU's relations with the Republic of Azerbaijan began in 1996 with the signature of the Partnership and Cooperation Agreement (PCA). Then, following the 2004 and 2007 enlargements, the EU launched the European Neighbourhood Policy (ENP), in which the Republic of Azerbaijan has participated since 2004 and which aims to strengthen relations with neighbouring countries to the east and south in order to promote prosperity, stability and border security. In 2009 the EU launched a new initiative in this field with the aim of deepening relations with certain countries to the east: the Eastern Partnership. An Association Agreement was signed in Prague on 7 May 2009, which also included the Republic of Azerbaijan. The Partnership aims to create the necessary conditions to accelerate political association and economic integration between the EU and the participating countries. Visa liberalisation and citizens' mobility are an integral part of the Partnership.

In the context of the Warsaw Eastern Partnership Summit Declaration of 30 September 2011, the EU and the partner countries confirmed their political support for enhancing citizens' mobility in a secure environment and reaffirmed their intention to take gradual steps towards a visa liberalisation regime. To this end, the first step is the negotiation of a visa facilitation regime. According to the common approach for the development of EU policy on this matter, a visa facilitation agreement cannot be signed without an agreement on the readmission of persons residing without authorisation being in place.

On this basis, the Commission presented, on 16 September 2011, a recommendation to the Council requesting authorisation to open negotiations with the Republic of Azerbaijan on a visa facilitation agreement and an agreement on the readmission of persons residing without authorisation. On 19 December 2011 the Council officially authorised the Commission to negotiate the two agreements between the EU and Azerbaijan.

In February 2012 the Commission transmitted a draft text to the Azerbaijan authorities. On 1 and 2 March 2012 the first round of official negotiations took place in Baku. There were three further rounds of negotiations, the last in Brussels on 12-13 March 2013. On 29 July 2013 the agreed text was initialled in Brussels.

The visa facilitation agreement and the readmission agreement operate in tandem. Azerbaijan signed a visa facilitation agreement at the Eastern Partnership Summit in Vilnius on 28 and 29 November 2013. The readmission agreement with Azerbaijan is due to be signed soon, after the expiry of the three-month deadline for the opt-in of the UK and Ireland and the Council's decision on this.

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The process of deepening relations between the EU and Azerbaijan is sure to help extend the frontiers of the area of freedom, security and justice. The rapporteur is of the view that, in line with the opinion of the Commission and the Council and taking into account the opinion of Parliament's Committee on Foreign Affairs, Azerbaijan is, after several rounds of negotiations, now ready to conclude the Visa Facilitation Agreement and the Agreement on the Readmission of Persons Residing without Authorisation.

The conclusion of these agreements is a step forward in cooperation in the field of mobility. As a result of the new rules introduced in the agreements, procedures will be simpler and faster. In addition, the conclusion of the agreements stems from the determination shown by the EU and Azerbaijan over years of continuous, far-reaching rapprochement. They are thus of political and procedural importance.

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In terms of practical arrangements for the Visa Facilitation Agreement, the deadline for reaching a decision on whether or not to issue a visa shall be 10 calendar days. This period may be extended in certain cases to a maximum of 30 calendar days, and in the event of an emergency it can be reduced to two working days.

The cost of processing visa applications for citizens of the EU and Azerbaijan shall be EUR 35. There are some exceptions, and certain categories of people are exempt from the fee.

The documents required to be submitted together with a visa application are simplified for certain categories of people, such as close relatives, businesspeople, members of official delegations, school pupils and students, participants in scientific, cultural or sporting events, journalists, representatives of civil society, members of the liberal professions, people intending to visit a civil or military cemetery, drivers conducting international cargo and passenger transportation services, participants in official exchanges organised by twinned towns, and people visiting for medical reasons.

The conditions for issuing multiple-entry visas are simplified, for example in the case of members of official delegations and their families, and for certain other categories.

Holders of diplomatic passports are exempted from the visa requirement for short-stays.

Annexed to the Agreement are: a protocol for states which are not full members of Schengen; a declaration concerning holders of diplomatic passports; a declaration on cooperation and information exchange concerning travel documents; and a declaration on the possibility for Azerbaijan and the Member States to sign bilateral visa exemption agreements for holders of official passports.

The specific situations of Denmark, the United Kingdom and Ireland are reflected in the preamble. There is also an annex containing a declaration concerning the close association of Iceland, Norway and Switzerland to the implementation, application and development of the Schengen acquis.

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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 Parliament 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 the institution which represents European citizens and as the 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.



6.2.2014

## MIŠLJENJE ODBORA ZA VANJSKE POSLOVE

upućeno Odboru za građanske slobode, pravosuđe i unutarnje poslove

o prijedlogu Odluke Vijeća o zaključivanju Sporazuma između Europske unije i Republike Azerbajdžana o pojednostavljenju izdavanja viza  
(COM(2013)0742 – C7-0078/2014 – 2013/0356(NLE))

Izvjestiteljica za mišljenje: Anneli Jäätteenmäki

### SHORT JUSTIFICATION

The rapporteur welcomes the proposal as a positive development in the EU-Azerbaijan relations and believes that it will substantially strengthen and enhance the grassroots level cooperation between the two partners.

Intensifying people-to-people contacts, by enhancing mobility in a secure and well-managed environment, is one of the guiding principles of the Eastern Partnership. Visa liberalisation remains a shared objective of individual partner countries and the EU alike for the benefit of the population at large.

The Prague Summit Joint Declaration of 7 May 2009 establishing the Eastern Partnership has underlined the importance of promoting the mobility of citizens in a secure environment, through visa facilitation and readmission agreements. It set visa liberalisation as the long term objective that has to be accompanied by improvement in security conditions to fight cross border crime and irregular migration. The Warsaw Summit of September 2011 and the Vilnius Summit of November 2013 reconfirmed these objectives, stressing particularly that further cooperation and coordination should include the prevention of and the fight against illegal migration, the promotion of secure and well managed migration and mobility and integrated border management as a goal.

Already in its Communication on Strengthening the European Neighbourhood Policy (ENP) of 4 December 2006<sup>1</sup>, the Commission had recommended that negotiations on readmission and visa facilitation should be initiated with ENP countries. According to the common approach for the development of EU policy on visa facilitation agreed at the level of COREPER by the Member States in December 2005, a visa facilitation agreement would not be concluded without a readmission agreement being in place.

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<sup>1</sup> COM(2006)0726

The proposed decision takes into account and reflects the existing framework for cooperation with Azerbaijan, in particular the current Partnership and Cooperation Agreement which entered into force in 1999, the Declarations from the Eastern Partnership Summits, as well as the on-going negotiations for the EU-Azerbaijan Association Agreement. Similar agreements have been concluded already with Armenia, Georgia, Moldova and Ukraine.

The formal authorisation for negotiation of the readmission agreement with Azerbaijan was adopted on 19 December 2011. The negotiations began in March 2012 and the agreed text was initialled on 29 July 2013.

The proposed decision concerning the conclusion of the agreement includes standard elements of EU visa facilitation agreements, establishing the delays for the decision on issuing the visa, the fees and exemptions thereof, the required documentation and the exemptions, as well as simplification of criteria for certain categories of persons. Furthermore, the proposal includes Declarations on cooperation on travel documents and regular exchange of information on travel document security and on documents to be submitted when applying for short-stay visas. The provisions do not apply to the United Kingdom, Ireland and the Kingdom of Denmark, which are invited to conclude bilateral visa facilitation agreements, as are the countries non EU Members, but party to the Schengen agreement.

The improvement of mobility will facilitate people-to-people contacts, an essential element for development of economic, social, cultural and other ties. It is thus a key for the realisation of Eastern Partnership, recalling that the long-term objective is full visa liberalisation.

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Odbor za vanjske poslove poziva Odbor za građanske slobode, pravosuđe i unutarnje poslove da kao nadležni odbor predloži Parlamentu pokretanje postupka davanja suglasnosti.

## REZULTAT KONAČNOG GLASOVANJA U ODBORU

<b>Datum usvajanja</b>	6.2.2014
<b>Rezultat konačnog glasovanja</b>	+ :                48 - :                1 0 :                1
<b>Zastupnici nazočni na konačnom glasovanju</b>	Hiltrud Breyer, Elmar Brok, Jerzy Buzek, Tarja Cronberg, Arnaud Danjean, Mário David, Mark Demesmaeker, Michael Gahler, Marietta Giannakou, Ana Gomes, Andrzej Grzyb, Richard Howitt, Liisa Jaakonsaari, Anneli Jäätteenmäki, Jelko Kacin, Tunne Kelam, Nicole Kiil-Nielsen, Maria Eleni Koppa, Andrey Kovatchev, Eduard Kukan, Vytautas Landsbergis, Krzysztof Lisek, Ulrike Lunacek, Marusya Lyubcheva, Willy Meyer, María Muñoz De Urquiza, Annemie Neyts-Uyttebroeck, Norica Nicolai, Raimon Obiols, Ria Oomen-Ruijten, Pier Antonio Panzeri, Ioan Mircea Pașcu, Bernd Posselt, Hans-Gert Pöttering, Cristian Dan Preda, José Ignacio Salafranca Sánchez-Neyra, Nikolaos Salavrakos, György Schöpflin, Werner Schulz, Geoffrey Van Orden, Nikola Vuljanić, Boris Zala
<b>Zamjenici nazočni na konačnom glasovanju</b>	Charalampos Angourakis, Reinhard Bütikofer, Véronique De Keyser, Kinga Gál, Antonio López-Istúriz White
<b>Zamjenici nazočni na konačnom glasovanju prema čl. 187. st. 2.</b>	María Auxiliadora Correa Zamora, Leonidas Donskis, Marie-Christine Vergiat

## REZULTAT KONAČNOG GLASOVANJA U ODBORU

<b>Datum usvajanja</b>	20.2.2014
<b>Rezultat konačnog glasovanja</b>	+ :                32 - :                4 0 :                1
<b>Zastupnici nazočni na konačnom glasovanju</b>	Jan Philipp Albrecht, Edit Bauer, Arkadiusz Tomasz Bratkowski, Philip Claey, Carlos Coelho, Ioan Enciu, Frank Engel, Kinga Göncz, Nathalie Griesbeck, Anna Hedh, Salvatore Iacolino, Teresa Jiménez-Becerril Barrio, Timothy Kirkhope, Juan Fernando López Aguilar, Svetoslav Hristov Malinov, Anthea McIntyre, Louis Michel, Georgios Papanikolaou, Carmen Romero López, Judith Sargentini, Birgit Sippel, Renate Sommer, Wim van de Camp, Axel Voss, Cecilia Wikström, Tatjana Ždanoka, Auke Zijlstra
<b>Zamjenici nazočni na konačnom glasovanju</b>	Michael Cashman, Cornelis de Jong, Mariya Gabriel, Franziska Keller, Jean Lambert, Jan Mulder, Salvador Sedó i Alabart, Janusz Wojciechowski
<b>Zamjenici nazočni na konačnom glasovanju prema čl. 187. st. 2.</b>	Zdravka Bušić, Constanze Angela Krehl