



Plenary sitting

A8-0324/2015

16.11.2015

RECOMMENDATION

on the draft Council decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the United Arab Emirates on the short-stay visa waiver
(07185/2015 – C8-0124/2015 – 2015/0062(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.)

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	5
SHORT JUSTIFICATION	6
RESULT OF FINAL VOTE IN COMMITTEE RESPONSIBLE	9
FINAL ROLL-CALL VOTE IN COMMITTEE RESPONSIBLE	10

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the draft Council decision on the conclusion, on behalf of the European Union, of the Agreement between the European Union and the United Arab Emirates on the short-stay visa waiver (07185/2015 – C8-0124/2015 – 2015/0062(NLE))

(Consent)

The European Parliament,

- having regard to the draft Council decision (07185/2015),
 - having regard to the draft Agreement between the European Union and the United Arab Emirates on the short-stay visa waiver (07103/2015),
 - having regard to the request for consent submitted by the Council in accordance with Article 77(2)(a) and Article 218(6), second subparagraph, point (a)(v), of the Treaty on the Functioning of the European Union (C8-0124/2015),
 - having regard to Rule 99(1), first and third subparagraphs, Rule 99(2) and Rule 108(7) of its Rules of Procedure,
 - having regard to the recommendation of the Committee on Civil Liberties, Justice and Home Affairs (A8-0324/2015),
1. Gives its consent 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 the United Arab Emirates.

SHORT JUSTIFICATION

The framework of relations, and general provisions of the agreement

Relations between the European Union and the United Arab Emirates are conducted under the terms of the cooperation agreement of 1988 between the European Union and the Arab Gulf Cooperation Council. In 2013, the European Union opened a delegation to the United Arab Emirates, bearing witness to the desire to step up bilateral cooperation.

As part of the amendment of Regulation (EC) No 539/2001 by Regulation no 509/2014 of the European Parliament and of the Council, the United Arab Emirates were transferred to Annex II, which establishes the list of third countries whose nationals are exempt from the requirement to obtain visas in order to cross the external borders of the Member States. Regulation No 539/2001 – in its amended form – applies to all Member States, with the exception of Ireland and the United Kingdom.

After the adoption of this Regulation on 20 May 2014, the Council adopted on 9 October 2014 a decision authorising the Commission to open negotiations with a view to the conclusion of the bilateral agreement between the European Union and the United Arab Emirates. The negotiations were launched on 5 November 2014 and concluded on 20 November 2014. The agreement was signed on 6 May 2015 in Brussels. Since that date, the agreement has applied provisionally, pending approval by the European Parliament.

The agreement provides for visa-free travel for the citizens of the European Union and for the citizens of the UAE when travelling to the territory of the other Contracting Party for a maximum period of 90 days in any 180-day period. The visa waiver covers all categories of persons (ordinary, diplomatic, service/official and special passport holders) travelling for all kinds of purposes, except for the purpose of carrying out a paid activity.

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Rapporteur's justification

This agreement on the waiver of short-stay visas represents a culmination of the deepening of relations between the European Union and the United Arab Emirates and is an additional way of stepping up economic and cultural relations and intensifying political dialogue on various issues, including human rights and fundamental freedoms.

More than 150 000 European nationals live in the United Arab Emirates, the vast majority of whom have seized opportunities to engage in economic activities. Some 1.6 million Europeans visit the United Arab Emirates each year. In 2014, around 230 000 Emiratis travelled to Europe, mainly for purposes of business or luxury tourism.

According to the World Tourism Organisation, the requirement to obtain a visa, the cost of the visa and the need to plan travel in advance because of the visa requirement are seen by Emiratis as the main obstacles to travelling to Europe.

The visa waiver agreement will therefore enable many Europeans to visit their relatives in the United Arab Emirates more easily or to travel for professional or tourist purposes, while the

same is true for Emiratis. This is to say nothing of the fact that huge numbers of direct flights to and from EU Member States already exist.

Among the 19 countries transferred to the positive list when the regulation was amended, the United Arab Emirates are the only one to be classified as a high-income industrialised country. As regards trade relations, the EU is currently the principal trading partner of the United Arab Emirates, while the UAE is ranked 14th among the trading partners of the EU and its Member States. Trade was valued at EUR 51 million in 2014. Among the States of the Gulf Cooperation Council (GCC), it is the United Arab Emirates that trade the most intensively with the European Union. Trade relations are therefore highly developed, and can only benefit from the visa waiver agreement.

Political relations between the European Union and the United Arab Emirates have been based on the cooperation agreement between the European Union and the Gulf Cooperation Council since 1988. In 2013, the European Union opened a delegation in Abu Dhabi, bearing witness to the desire to step up bilateral relations. The visa waiver agreement must be viewed in a wider context as a tool for intensifying cooperation, in which context both parties have a shared interest in stabilising the macro-region and acting as sound and reliable partners in various fields such as combating terrorism, trafficking in persons and climate change. The United Arab Emirates are also becoming major players in development and international aid. In this field too, the European Union and the United Arab Emirates can be full partners. The visa waiver agreement therefore testifies to bilateral relations which will gain by being intensified.

The rapporteur would also observe that this is the first Arab State with which the European Union has signed a visa waiver agreement. The rapporteur welcomes the setting-up of the UAE-EU technical working party on human rights, on the occasion of the transfer to Annex II. The United Arab Emirates have also guaranteed equal treatment of all European citizens and complete reciprocity with effect from 22 March 2014. The satisfactory completion of the negotiations with the United Arab Emirates may constitute an example of good practice for the next countries to be transferred from the negative to the positive list.

The rapporteur is convinced that these factors demonstrate how open the UAE is and its desire for a rapprochement with the European Union, including with regard to issues of human rights, migrant workers' rights, women's rights and freedom of expression.

Moreover, the UAE does not present any risk of clandestine immigration or threat to public policy or security, and it has supplied the European Institutions with the necessary evidence to this effect. In addition, the UAE issues biometric passports to its citizens. In 2014, the Schengen Member States issued 230 194 short-stay visas, the rejection rate being 7.6%, as 253 765 applications were received. It may be noted that the rejection rate has been halved since 2010, which shows that confidence has increased.

Lastly, the rapporteur would stress the by no means negligible impact which the visa waiver will have on rapprochement between the peoples of Europe and the Arabian Peninsula. The visa waiver agreement will enable citizens not only to derive full benefit from the partnership between the EU and the United Arab Emirates but also to participate in it by travelling at a reduced, economical and practical cost.

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Implementation and monitoring of the agreement

As regards the implementation and monitoring of the agreement, the rapporteur calls on the Commission to observe any developments in relation to the criteria which initially led to the transfer from Annex I to Annex II of Regulation No 509/2014. These criteria include not only clandestine immigration, public policy and security, but also the Union's external relations with the third countries concerned including, in particular, considerations relating to human rights and fundamental freedoms.

In addition, the rapporteur calls on the Commission and the authorities of the United Arab Emirates to ensure full reciprocity of the visa waiver, which should permit equal treatment of all citizens, particularly all citizens of the Union.

The rapporteur would draw attention to the fact that, within the Joint Committee for the management of the agreement (Article 6), the European Union is represented only by the Commission. As an institution directly elected by European citizens, which defends democracy, human rights and the fundamental principles of the European Union, the European Parliament could be involved in the work of the Joint Committee. Parliament's rapporteur once again encourages the Commission to review the composition of the joint management committees for future agreements.

The also rapporteur queries the practice of signing visa waiver agreements and applying them provisionally before the European Parliament has approved them. The rapporteur observes that this practice is liable to reduce Parliament's room for manoeuvre and is all the more problematic because Parliament is not informed about them as the bilateral negotiations progress.

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Specific provisions

The specific situation of the United Kingdom and Ireland is taken into account in the preamble. Thus the United Kingdom and Ireland will not participate in the agreement which has been concluded and are not subject to its provisions.

The close association of Norway, Iceland, Switzerland and Liechtenstein with the implementation, application and development of the Schengen acquis is likewise reflected in a joint declaration annexed to the agreement. The declaration encourages the authorities of those countries to conclude bilateral agreements on a short-stay visa waiver with the United Arab Emirates as soon as possible.

The agreement contains provisions related to its territorial application: in the case of France and the Netherlands, the provisions of the agreement apply only in those two Member States' European territories.

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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 RESPONSIBLE

Date adopted	10.11.2015
Result of final vote	+: 45 -: 4 0: 4
Members present for the final vote	Martina Anderson, Heinz K. Becker, Malin Björk, Caterina Chinnici, Rachida Dati, Agustín Díaz de Mera García Consuegra, Frank Engel, Tanja Fajon, Laura Ferrara, Monika Flašíková Beňová, Lorenzo Fontana, Mariya Gabriel, Kinga Gál, Nathalie Griesbeck, Jussi Halla-aho, Filiz Hyusmenova, Iliana Iotova, Eva Joly, Sylvia-Yvonne Kaufmann, Timothy Kirkhope, Barbara Kudrycka, Marju Lauristin, Juan Fernando López Aguilar, Monica Macovei, Vicky Maeijer, Roberta Metsola, Alessandra Mussolini, József Nagy, Péter Niedermüller, Branislav Škripek, Csaba Sógor, Helga Stevens, Traian Ungureanu, Bodil Valero, Marie-Christine Vergiat, Udo Voigt, Cecilia Wikström, Kristina Winberg, Tomáš Zdechovský
Substitutes present for the final vote	Pál Csáky, Anna Hedh, Petr Ježek, Ska Keller, Miltiadis Kyrkos, Artis Pabriks, Maite Pagazaurtundúa Ruiz, Salvatore Domenico Pogliese, Christine Revault D'Allonnes Bonnefoy, Barbara Spinelli, Kazimierz Michał Ujazdowski, Axel Voss
Substitutes under Rule 200(2) present for the final vote	Francisco Assis, Eugen Freund

FINAL ROLL-CALL VOTE IN COMMITTEE RESPONSIBLE

45	+
ALDE	Nathalie Griesbeck, Filiz Hyusmenova, Petr Ježek, Maite Pagazaurtundúa Ruiz, Cecilia Wikström
ECR	Jussi Halla-aho, Timothy Kirkhope, Monica Macovei, Helga Stevens, Kazimierz Michał Ujazdowski, Branislav Škripek
EFDD	Laura Ferrara
ENF	
PPE	Heinz K. Becker, Pál Csáky, Rachida Dati, Agustín Díaz de Mera García Consuegra, Frank Engel, Mariya Gabriel, Kinga Gál, Barbara Kudrycka, Roberta Metsola, Alessandra Mussolini, József Nagy, Artis Pabriks, Salvatore Domenico Pogliese, Csaba Sógor, Traian Ungureanu, Axel Voss, Tomáš Zdechovský
S&D	Francisco Assis, Caterina Chinnici, Tanja Fajon, Monika Flašíková Beňová, Eugen Freund, Anna Hedh, Iliana Iotova, Sylvia-Yvonne Kaufmann, Miltiadis Kyrkos, Marju Lauristin, Juan Fernando López Aguilar, Péter Niedermüller, Christine Revault D'Allonnes Bonnefoy
VERTS/ALE	Eva Joly, Ska Keller, Bodil Valero

4	-
EFDD	Kristina Winberg
ENF	Lorenzo Fontana, Vicky Maeijer
NI	Udo Voigt

4	0
GUE	Martina Anderson, Malin Björk, Barbara Spinelli, Marie-Christine Vergiat

Key to symbols:

+ : in favour

- : against

0 : abstention