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Committee on Foreign Affairs

2006/0062(CNS)

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OPINION

of the Committee on Foreign Affairs

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a Council decision on the conclusion of the Agreement between the European Community and the Russian Federation on the facilitation of issuance of short-stay visas
(COM(2006)0188 – C6-0169/2006 – 2006/0062(CNS))

Draftsperson: Ari Vatanen

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SHORT JUSTIFICATION

Your draftsman believes that the conclusion of the Agreement between the European Community and the Russian Federation on the facilitation of issuance of short-stay visas, in parallel to the readmission agreement, demonstrates a step forward in completing the Common Space of Freedom, Security and Justice within the strategic partnership between the EU and Russia.

The agreement brings some benefits for both the EU and Russia, in particular as it is based on reciprocity and creates legally binding rules in a number of areas, including the length of procedures for processing visa applications. Additionally, it foresees limits to the required documentary evidence regarding the purpose of the journey, alignment of visa fees and simplified criteria for issuing multiple-entry visas for broad classes of people, including students, diplomats, business people and journalists.

However, your draftsman believes that the scope of the Agreement should be extended to cover other very important issues, such as refusals to issue a visa, the recognition of travel documents, proving sufficient means of subsistence and refusal of entry and expulsion measures. He hopes that these topics could be raised by the Commission in the Joint Committee for management of the Agreement.

In view of the complexity of the visa issues between the EU and the Russian Federation, such as those relating to the expulsion of journalists, the draftsman considers it desirable to establish the post of an Ombudsman, who would receive citizens' complaints on visa decisions and who would also chair the Joint Committee.

Two of the most serious obstacles to travel to and within Russia are the requirement of invitations and the mandatory cumbersome registration procedure that all types of Russian visas are subject to. Particularly serious efforts on both the Russian and EU sides are needed to make further efforts to find a solution if a real facilitation of the movement of people between countries is to be achieved.

It must be also noted that foreign journalists, clergy, missionaries, and members of civil society organisations have faced difficulties in obtaining and renewing visas for Russia over the last years. The refusal of the Russian authorities to renew the accreditation and working visa of Bert Sundström, a correspondent for the Swedish public television station SVT, forcing him to return to Stockholm on 3 September 2005, stands out particularly in this context.

Furthermore, it is highly inappropriate that travel to certain regions of Russia is subject to an additional permit or additional fees, such as travel to the Chechen Republic or some parts of Eastern Russia and Siberia, whereas an EU Schengen visa allows unrestricted travel. Your draftsman believes that in particular the decision by the Russian security police FSB to set up a Soviet-style border zone with restricted access for foreigners after the signature of the visa facilitation agreement runs contrary to the spirit of the Agreement.

Furthermore, your draftsman is concerned that the Agreement could be used as an implicit recognition of separatist tendencies violating the territorial integrity of Georgia. He is of the

view that the residents of South Ossetia and Abkhazia who are in possession of the Russian citizenship should not be automatically covered by the Agreement and invites the EU and Russian side to consider this issue seriously.

Moreover, he recalls that the common approach to the development of the EU policy on visa facilitation, which was agreed by the Member States and the Commission in December 2005, set out certain criteria to be evaluated before negotiations on visa facilitation with third countries could be commenced. One of the most important requirements was that a readmission agreement should have been either already in place or under active negotiation. However, in case of Russia, this procedure was not followed.

The common approach to visa facilitation defined certain countries with which the EU has a special relationship, notably candidate countries and potential candidates for accession and countries covered by the European Neighbourhood strategy. He is, therefore, particularly pleased with the progress made towards visa facilitation in regard to the Ukraine, with whom an agreement was initialled in October, as well as Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia, for whom the negotiation mandates were adopted in November. The rapporteur underlines, however, that the objective is visa-free travel.

Finally he believes that the goal of visa-free travel with Russia should be pursued in the light of the Council Regulation (EC) No 539/2001, which states that exemption from a visa requirement should be covered by a considered assessment of a variety of criteria, including *inter alia* illegal immigration, public policy and security and the EU's external relations with third countries, with consideration being given to the implications of regional coherence and reciprocity.

However, the Committee on Foreign Affairs requests that the Council and the Commission show their strong commitment to remedy and address the drawbacks and shortcomings identified by the European Parliament and mentioned above with a declaration in plenary before the final vote. This declaration should contain a clear commitment from the Council and Commission to continue the work on reducing bureaucratic obstacles for all travellers such as the necessity to possess invitations and to register oneself upon arrival as well as for including persons with a clean visa history into the agreement.

The Committee on Foreign Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to propose approval of the Commission proposal.

PROCEDURE

Title	Proposal for a Council decision on the conclusion of the Agreement between the European Community and the Russian Federation on the facilitation of issuance of short-stay visas
References	COM(2006)0188 – C6-0169/2006 – 2006/0062(CNS)
Committee responsible	LIBE
Opinion by Date announced in plenary	AFET 13.6.2006
Enhanced cooperation – date announced in plenary	
Draftsman Date appointed	Ari Vatanen 3.5.2006
Previous drafts(wo)man	
Discussed in committee	24.1.2007
Date adopted	30.1.2007
Result of final vote	+: 53 –: 8 0: 2
Members present for the final vote	Roberta Alma Anastase, Panagiotis Beglitis, Bastiaan Belder, Marco Cappato, Philip Claeys, Véronique De Keyser, Bronisław Geremek, Maciej Marian Giertych, Ana Maria Gomes, Klaus Hänsch, Jana Hybášková, Anna Ibrisagic, Stanimir Ilchev, Ioannis Kasoulides, Bogdan Klich, Helmut Kuhne, Joost Lagendijk, Vytautas Landsbergis, Eugen Mihaescu, Emilio Menéndez del Valle, Willy Meyer Pleite, Pasqualina Napoletano, Annemie Neyts-Uyttebroeck, Baroness Nicholson of Winterbourne, Raimon Obiols i Germà, Vural Öger, Justas Vincas Paleckis, Ioan Mircea Pascu, Tobias Pflüger, João de Deus Pinheiro, Mirosław Mariusz Piotrowski, Raül Romeva i Rueda, Libor Rouček, Katrin Saks, José Ignacio Salafranca Sánchez-Neyra, Jacek Saryusz-Wolski, György Schöpflin, Gitte Seeberg, Marek Siwiec, Hannes Swoboda, Konrad Szymański, Antonio Tajani, Charles Tannock, Paavo Väyrynen, Inese Vaidere, Geoffrey Van Orden, Luis Yañez-Barnuevo García, Josef Zieleniec
Substitute(s) present for the final vote	Laima Liucija Andrikienė, Alexandra Dobolyi, Árpád Duka-Zólyomi, Jaromír Kohlíček, Janusz Onyszkiewicz, Doris Pack, Rihards Pīks, Józef Pinior, Miguel Portas, Aloyzas Sakalas, Csaba Sándor Tabajdi
Substitute(s) under Rule 178(2) present for the final vote	Hanna Foltyn-Kubicka, Gisela Kallenbach, Leopold Józef Rutowicz, Czesław Adam Siekierski
Comments (available in one language only)	...