



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

A7-0345/2010

1.12.2010

RECOMMENDATION

on the draft Council decision on the conclusion of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas (11324/2010 – C7-0391/2010 – 2010/0106(NLE))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Nathalie Griesbeck

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 Georgia on the facilitation of the issuance of visas
(11324/2010 – C7-0391/2010 – 2010/0106(NLE))**

(Consent)

The European Parliament,

- having regard to the draft Council decision (11324/2010),
 - having regard to the draft agreement between the European Union and Georgia on the facilitation of the issuance of visas (10304/2010),
 - 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 (C7-0391/2010),
 - having regard to Rules 81 and 90(8) 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 (A7-0345/2010),
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 Georgia.

EXPLANATORY STATEMENT

The enlargement of the European Union to 25 Member States in 2004 and then to 27 in 2007 was an opportunity for the Union to create a new framework for cooperation with its neighbours to the east and the south; the European Union thus engaged in an enlarged neighbourhood policy extending as far as the countries of the South Caucasus region and aimed at deepening its relations with the countries located at the EU's external borders, promoting their security, stability and development and preventing new divisions on the European continent.

Europe thus signalled its growing interest in the States of the South Caucasus and it must today pursue its engagement with the countries of this region, as an area to be protected near its new frontiers. The South Caucasus has strategic importance for the European Union, which can assist this region in its economic and commercial development. But above all, the EU's action must be marked by encouragement, based on principles of good governance and absolute respect for human rights and democracy. The European Union must therefore play a more active role in the South Caucasus region, as stated in resolution 2009/2216(INI) adopted by the European Parliament in May 2010, and should draw up a strategy to consolidate stability and prosperity, and to facilitate conflict settlement, in this region.

The process of deepening the relations between the EU and the countries of the South Caucasus, including Georgia, will undoubtedly also contribute to improving the exercise of justice and the respect for freedoms. The two agreements recently concluded with Georgia, one on the readmission of persons residing without authorisation and the other on the facilitation of the issuance of visas, will contribute fully to achieving these objectives.

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The rapporteur therefore approves the conclusion of these two interdependent and parallel agreements with Georgia, which will push out the frontiers of the area of liberty and security, extending it beyond the European Union and encompassing this neighbouring country.

The two agreements are, first of all, a very important stage, a step forward in the relations between the European Union and Georgia. There is a very clear desire for rapprochement between Georgia and the EU which has been expressed in recent years through a series of significant political acts, ranging from improved bilateral cooperation between the EU and Georgia to Georgia's accession to the Council of Europe and the European Convention on Human Rights. Conclusion of the agreements between the EU and Georgia is thus an encouraging step forward, given the European aspirations of Georgia, and will thus represent a strong signal on the part of the European Union. It will promote friendly relations, stability, security and the well-being of the citizens.

Furthermore, these agreements are also relevant from a regional point of view and will support EU efforts to enhance cooperation with other countries in the region. They also represent progress and an encouragement for Georgia to strengthen cooperation with its neighbours and with the European Union.

In addition, these agreements encourage Georgia to implement the reforms needed in the area of freedom, security and justice. The rapporteur believes that in the spirit of joint commitment, the EU and Georgia can effectively fight illegal immigration and contribute to the development of democracy, the rule of law, human rights and civil society by promoting easier contact and travel for people between the two contracting parties.

In particular, the agreement on the facilitation of the issuance of visas will facilitate people-to-people contacts, which are a very important condition for the development of economic, humanitarian, cultural, scientific and other ties. The elimination of the visa requirement for citizens of Georgia will mark an important stage on their path to European integration. A visa facilitation regime is of great significance in people's lives as it strengthens contacts between peoples and brings about the realisation of the idea of free movement, which is one of the fundamental rights in Europe.

As far as the implementation of these two agreements is concerned,

the rapporteur considers that information campaigns are essential in Georgia in order to inform people of the new situation and to allow them to take the advantage of the new possibilities. In addition, the changes in the visa policy should also appear as soon as possible on the European institutions' websites;

the rapporteur also recommends that the European Parliament's Committee on Civil Liberties, Justice and Home Affairs and the European Commission, which is responsible for monitoring the application of these agreements, should, after they have been enacted, identify any obstacles or asymmetrical barriers to their proper application and to the reciprocity of procedures, both at consular service level and at the borders to be crossed;

lastly, the rapporteur regrets the insufficient involvement and information of the European Parliament with regard to the opening and the conduct of the negotiations for such agreements. Directly representing the citizens of Europe, the Parliament has an essential role to play in strengthening the accountability of the EU's external action and the democratic control. The rapporteur expects the European Commission to provide Parliament with information on the outcome of implementing the agreements, in application of the principle of cooperation in good faith between the institutions.

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7.10.2010

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 Georgia on the facilitation of the issuance of visas (11324/2010 – C7-0391/2010 – 2010/0106(NLE))

Rapporteur: Krzysztof Lisek

SHORT JUSTIFICATION

The political mandate on concluding agreements on the facilitation of the issuance of short-stay visas to third country nationals is stated in The Hague programme of November 2004, aiming to develop a common approach.

In its Communication on Strengthening the European Neighbourhood Policy (ENP)¹ of 4 December 2006, the commission had recommended that negotiations on readmission and visa facilitation should be initiated with ENP countries.

The Prague Summit Joint Declaration of 7 May 2009 establishing the Eastern Partnership has set the long term objective of visa liberalisation, a gradual process that has to be accompanied by improvement in security conditions to fight cross border crime and irregular migration.

The proposed decision takes into account and reflects the existing framework for cooperation with Georgia, in particular Partnership and Cooperation Agreement operating as from 1 July 1999, as well as EU-Georgia European Neighbourhood Policy Action Plan (endorsed 14 November 2006), as well as the abovementioned Prague Declaration.

The negotiating directives for the conclusion of a visa facilitation agreement with Georgia were adopted by the Council on 27 November 2008. The negotiations were carried out throughout 2009 and the agreed text was initialled on 25 November 2009. Since 1 June 2006, all EU citizens are exempted from the visa requirement when travelling to Georgia for up to 90 days.

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 a joint declaration on cooperation on travel documents. Furthermore, the proposal includes an EU

¹ COM(2006)0726.

Declaration on facilitations for family members, replying to specific requests by Georgia, in order to ease the mobility of an extended number of persons which have family links with Georgian citizens legally residing in territories of EU Member States. 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, humanitarian, 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.

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	5.10.2010
Result of final vote	+: 25 -: 2 0: 0
Members present for the final vote	Gabriele Albertini, Frieda Brepoels, Andrzej Grzyb, Heidi Hautala, Ioannis Kasoulides, Tunne Kelam, Andrey Kovatchev, Wolfgang Kreissl-Dörfler, Vytautas Landsbergis, Krzysztof Lisek, Mario Mauro, Francisco José Millán Mon, María Muñiz De Urquiza, Norica Nicolai, Raimon Obiols, Kristiina Ojuland, Pier Antonio Panzeri, Ioan Mircea Pașcu, Alojz Peterle, Libor Rouček, José Ignacio Salafranca Sánchez-Neyra, Adrian Severin, Ernst Strasser
Substitute(s) present for the final vote	Nikolaos Chountis, Marietje Schaake, Helmut Scholz
Substitute(s) under Rule 187(2) present for the final vote	Marie-Christine Vergiat

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	26.10.2010
Result of final vote	+: 47 -: 1 0: 0
Members present for the final vote	Sonia Alfano, Rita Borsellino, Emine Bozkurt, Simon Busuttil, Carlos Coelho, Cornelis de Jong, Agustín Díaz de Mera García Consuegra, Cornelia Ernst, Tanja Fajon, Hélène Flautre, Kinga Gál, Kinga Göncz, Nathalie Griesbeck, Sylvie Guillaume, Ágnes Hankiss, Salvatore Iacolino, Teresa Jiménez-Becerril Barrio, Juan Fernando López Aguilar, Clemente Mastella, Véronique Mathieu, Nuno Melo, Louis Michel, Claude Moraes, Jan Mulder, Georgios Papanikolaou, Carmen Romero López, Judith Sargentini, Birgit Sippel, Csaba Sógor, Rui Tavares, Valdemar Tomaševski, Wim van de Camp, Axel Voss, Renate Weber, Tatjana Ždanoka
Substitute(s) present for the final vote	Alexander Alvaro, Edit Bauer, Andrew Henry William Brons, Anna Maria Corazza Bildt, Nadja Hirsch, Monika Hohlmeier, Franziska Keller, Ádám Kósa, Wolfgang Kreissl-Dörfler, Petru Constantin Luhan, Mariya Nedelcheva, Joanna Senyszyn, Cecilia Wikström