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VISA 156

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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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COUNCIL OF
THE EUROPEAN UNION

Brussels, 30 June 2006

10539/06

RESTREINT UE

VISA 156

OUTCOME OF PROCEEDINGS

of: Visa Working Party

dated: 13 June 2006

Subject: **Summary of discussions**

- 1. Recommendation from the Commission to the Council in order to authorise the Commission to open negotiations for the conclusion of an agreement between the European Community and the former Yugoslav Republic of Macedonia on the facilitation of issuance of short-stay visas
doc. 9211/06 VISA 132 FYROM 2 (RESTREINT UE)**

The **Commission representative (COM)** explained that the mandate for the Agreement on the facilitation of issuance of short-stay visas with the former Yugoslav Republic of Macedonia (FYROM) is based on similar agreements with Russia and Ukraine and on the Common Approach on visa facilitation adopted in December 2005¹ and takes into consideration the status of FYROM as candidate country. The Commission will also prepare draft mandate proposals for the other Western Balkan countries this summer. FYROM wishes to join the EU and negotiation of this agreement is at the beginning of this process.

At the meeting of COWEB on 22 May 2006 there was a general acceptance of the proposal.

¹ A recommendation for the authorisation to negotiate a Readmission Agreement was submitted at the same time by the Commission to the Council.

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COM stated that FYROM was expected to maintain the visa free regime for all EU citizens after 30 June 2006. The position would be reviewed in the event of any change in that regard.

Taking into consideration the latest adjustment of the handling fee, **COM** explained that in this mandate it proposed that the general handling fee would be 35 EUR, with some categories benefiting from a further reduction. Regarding diplomatic and service passports, **COM** proposed a visa free regime for both groups. **COM** explained that FYROM had asked for an exemption of compulsory travel medical insurance for officials on official trips and for the possibility of visa requests being launched via mail or e-mail. **COM** had declined both requests.

FR was of the opinion that an analysis and verification of efforts of FYROM and other Western Balkan countries should be made, taking into account the requirements of the common approach and their efforts in preventing illegal migration, inviting the Commission to prepare a written report. **IT** asked for much broader report which would also cover areas not directly linked to visa policy. **COM** saw no need for a new report as all relevant information was already contained in a number of reports which are constantly updated and available to Member States.

FR entered a scrutiny reservation for the whole of point 1.3.1 (handling fee) chapter of the Explanatory Memorandum of the proposed mandate. **COM** explained that its draft proposal including the explanatory memorandum for the mandate was ready before the Council's adoption of the French initiative concerning the increase of the handling fee and recalled that the explanatory memorandum would not be part of the finally adopted mandate.

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IT, supported by **FR**, was not in favour of issuing the existing Russian agreement using as a model as the third countries concerned should be treated individually. **FI**, supported by **HU, EE, LV**, recalled that there had already been a political support for this exercise in COWEB and that the **Visa Working Party** should focus on the technical points. **HU** expressed its expectation that the visa free regime for all EU citizens would continue after 30 June, otherwise **HU** would have problems in supporting this process.

Handling fee

DE wanted to insert a specific reference to the Common approach in order to highlight those criteria. **COM** was open to the **HU** suggestion of including a special urgency fee as in the case of Russia and Ukraine.

FR was in favour of setting 35 EUR as a maximum fee, as it had understood that that would only apply for the transitional period. **FR** suggested having three different fees (60 EUR, 30 EUR and free of charge). **HU** stated that the decision regarding handling fee had already been adopted and that the issue should not be reopened. **COM** replied that this was the compromise solution and that the reduction would be of permanent nature if a mandate is given before the end of 2006. Such a transition period had been agreed to avoid a possible temporary increase in the handling fee.

Fixing a standard length of procedure for issuing visas

DE, supported by **IT**, emphasized that there should be no automaticity regarding the right to obtain multiple entry visas. There should always be a proper check to verify whether a visa applicant fulfils the requirements and is really bona fida. In this process a gradual approach should be followed (first a single short stay visa, then a multiple entry visa for a short time period and then only, if there were no abuse, a multiple entry visa with a long validity). There should always be evidence relevant to the purpose of stay.

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COM explained that as in the case of Russia and Ukraine, there would be a gradual approach for certain categories for multiple entry visas and confirmed that simplification concerned only the legitimacy of the purpose of the trip and not the required documentation.

Exemptions from visa requirements for particular categories

PT had difficulty with the exemption for holders of diplomatic and service passports. **CZ** and **DE** entered a reservation regarding service passports. **FR** was not in favour of exempting holders of service passports either and suggested the deletion of the last sentence of this paragraph and that pending verification of the rules for issuing diplomatic passports the first sentence be conditional. Regarding the request by **DE** and **BE** for more information about the issuance of service passports, **COM** explained that it had looked into this system.

EE, HU, LV, SI and **SK** emphasized that they had not had any problems with exemption of holders of service passports from visa requirements.