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EUROPEAN COMMISSION

Brussels, 5.5.2010  
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2010/0106 (NLE)

**Proposal for a**

**COUNCIL DECISION**

**concerning the conclusion of the Agreement between the European Union  
and Georgia on the facilitation of the issuance of visas**

## **EXPLANATORY MEMORANDUM**

### **I. POLITICAL AND LEGAL FRAMEWORK**

Following the August 2008 conflict in Georgia, the Extraordinary European Council held in Brussels on 1 September 2008 decided "to step up relations with Georgia, including visa facilitation measures".

On 27 November 2008, the Justice and Home Affairs Council formally authorised the Commission to negotiate a visa facilitation agreement between the European Union and Georgia. In February 2009 the Commission informed the Georgian authorities on the basic elements of a visa facilitation agreement and the first round of formal negotiations could be held in Brussels on 2 April 2009. Two further formal rounds of negotiations took place, the last one in Brussels on 24-25 August 2009.

Following a consultation and approval process on both sides as well as further clarification of a few additional points, the agreed text was initialled on 25 November 2009 in Brussels by the Chief Negotiators of both Parties.

Member States have been regularly informed and consulted at all (informal and formal) stages of the visa facilitations negotiations.

On the part of the Union, the legal basis for the Agreement is Article 77(2a), in conjunction with Article 218 of TFEU.

The Commission signed the agreement on ... In accordance with Art. 218(6)(a) of TFEU for the conclusion of the Agreement, the European Parliament's consent was given on .....

The proposed decision concerning the conclusion sets out the necessary internal arrangements for the practical application of the Agreement. In particular, it specifies that the Commission, assisted by experts from Member States, represents the Union within the Joint Committee set up by Article 12 of the Agreement. Under Article 12(4), the visa facilitation committee shall adopt its own rules of procedure. As regards other decisions to be taken by the Joint Committee, the Union position shall be established in accordance with the applicable provisions of the Treaty.

### **II. OUTCOME OF THE NEGOTIATIONS**

The Commission considers that the objectives set by the Council in its negotiating directives were attained and that the draft visa facilitation agreement is acceptable to the Union.

The final content of it can be summarised as follows:

- in principle, for all visa applicants, a decision on whether or not to issue a visa will have to be taken within 10 calendar days. This period may be extended up to 30 calendar days when further scrutiny is needed. In urgent cases, the period for taking a decision may be reduced to three working days or less;
- the visa fee for processing applications of Georgian citizens shall amount to 35 € This fee will be applied to all Georgian visa applicants and concerns both single and multiple-entry

visas. Moreover, certain categories of persons benefit from a full waiving of the visa fee: pensioners, close relatives, members of national and regional governments, members of official delegations participating in government activities, students, disabled persons, journalists, representatives of civil society, children under the age of 12, humanitarian cases and persons participating in scientific, cultural, artistic activities and sport events;

- the documents to be presented regarding the purpose of the journey have been simplified for some categories of persons: close relatives, business people, members of official delegations, students, participants in scientific, cultural and sporting events, journalists, persons visiting military and civil burials, representatives of civil society, members of the professions drivers conducting international cargo and passenger transportation services and persons visiting for medical reasons. For these categories of persons, only the documents listed in the agreement can be requested for justifying the purpose of the journey. No other justification, invitation or validation provided for by the legislation of the Member States is required;
- there are also simplified criteria for issuing multiple-entry visas for the following categories of persons:
  - a) for members of national and regional Governments, Constitutional and Supreme Court, permanent members of official delegations and spouses and children visiting citizens of Georgia legally residing in the Member States: visa valid up to five years (or shorter, limited to the period of the validity of their mandate or authorisation for legal residence).
  - b) participants in scientific, cultural, official exchange programmes and sport events, journalists, students, business people, representatives of civil society, members of the professions and drivers, provided that during the previous two years they have made good use of 1 year multiple-entry visas and the reasons for requesting a multiple-entry are still valid: visas valid for a minimum of 2 years and a maximum of 5 years are issued;
- citizens of Georgia who are holders of valid diplomatic passports are exempted from the visa requirement for short-stays.
- a protocol addresses the specific situation of the Member States that do not fully apply the Schengen acquis yet and their unilaterally recognition of Schengen visas and residence permits issued to Georgian citizens for the purpose of transit through their territory in accordance with Council Decision N° 582/2008/EC.
- A Joint Declaration is attached to the Agreement on access of visa applicants to harmonised information on procedures for issuing short-stay visas and supporting documents.
- Replying to specific requests formulated by Georgia, a European Union Declaration is attached to the Agreement on facilitations for family members not covered by the legally binding provisions of the Agreement.
- A Joint Declaration is attached to the Agreement on cooperation on travel documents and regular exchange of information on travel document security.

The specific situations of Denmark, the United Kingdom and Ireland are reflected in the preamble and in two joint declarations attached to the Agreement. The close association of Norway, Iceland Switzerland and Liechtenstein to the implementation, application and development of the Schengen acquis is likewise reflected in a joint declaration to the Agreement.

Since the two agreements on visa facilitation and readmission are linked, both agreements should be concluded and enter into force simultaneously.

### **III. CONCLUSIONS**

In the light of the above-mentioned results, the Commission proposes that the Council

- approve, after having received consent from the European Parliament, the attached Agreement between the European Union and Georgia on the facilitation of the issuance of visas

Proposal for a

**COUNCIL DECISION**

of [ ... ]

**on the conclusion of the Agreement between the European Union  
and Georgia on the facilitation of the issuance of visas**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2a), in conjunction with Article 218 (6)(a), thereof

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament<sup>1</sup>,

Whereas:

- (1) In accordance with Council Decision 2010/XXX of [...] <sup>2</sup>, the Agreement between the European Union and Georgia on the facilitation of the issuance of visas was signed by the Commission on [ ], subject to its conclusion at a later date.
- (2) The Agreement should be concluded.
- (3) The Agreement establishes a Joint Committee which may adopt its rules of procedure. It is appropriate to provide for a simplified procedure for the establishment of the Union position in this case.
- (4) In accordance with the Protocol on the position of the United Kingdom and Ireland, and the Protocol integrating the Schengen acquis into the framework of the European Union, the United Kingdom and Ireland do not take part in the adoption of this Decision and are therefore not bound by it or subject to its application.
- (5) In accordance with the Protocol on the position of the Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark does not take part in the adoption of this Decision and is therefore not bound by it or subject to its application

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<sup>1</sup> OJ C [...], [...], p. [...].

<sup>2</sup> OJ L [...], [...], p. [...].

HAS ADOPTED THIS DECISION:

*Article 1*

The Agreement between the European Union and Georgia on the facilitation of the issuance of visas is hereby concluded.

The text of the Agreement is attached to this Decision.

*Article 2*

The President of the Council shall designate the person empowered to proceed, on behalf of the European Union, to the notification provided for in Article 14(1) of the Agreement, in order to express the consent of the European Union to be bound by the Agreement.

*Article 3*

The Commission, assisted by experts from Member States, shall represent the Union in the Joint Committee established by Article 12 of the Agreement.

*Article 4*

The position of the Union within the Joint Committee with regard to the adoption of its rules of procedure as required under Article 14 (4) of the Agreement shall be taken by the Commission after consultation with a special committee designated by the Council.

*Article 5*

This Decision shall enter into force on the day of its adoption. It shall be published in the *Official Journal of the European Union*.

The date of entry into force of the Agreement shall be published in the *Official Journal of the European Union*.

Done at Brussels, [...]

*For the Council*  
*The President*  
[...]

**ANNEX**

**DRAFT AGREEMENT**

**Between**

**The European Union and Georgia**

**on the facilitation of the issuance of visas**



THE EUROPEAN UNION hereinafter referred to as “*the Union*”;

and Georgia,

hereinafter referred to as the Parties;

*Desiring* to facilitate people to people contacts as an important condition for a steady development of economic, humanitarian, cultural, scientific and other ties, by facilitating the issuing of visas to citizens of Georgia;

Reaffirming the intention to establish visa free travel regime for their citizens as a long term goal, provided that all the conditions for well-managed and secure mobility are fulfilled;

*Bearing in mind* that, as from 01 June 2006, all EU citizens are exempted from the visa requirement when travelling to Georgia for a period of time not exceeding 90 days or transiting through the territory of Georgia;

*Recognizing that* if Georgia reintroduces the visa requirements for the EU citizens or certain categories of them, the same facilitations granted under this agreement to the citizens of Georgia would automatically, on the basis of reciprocity, apply to the EU citizens;

Bearing in mind that these visa requirements can only be reintroduced for all EU citizens or certain categories of the EU citizens;

Recognizing that visa facilitation should not lead to illegal migration and paying special attention to security and readmission;

*Taking into account* the Protocol on the position of the United Kingdom and Ireland and the Protocol integrating the Schengen acquis into the framework of the European Union, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union and confirming that the provisions of this agreement do not apply to the United Kingdom and Ireland;

*Taking into account* the Protocol on the position of Denmark annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark;

HAVE AGREED AS FOLLOWS:

#### **ARTICLE 1- PURPOSE AND SCOPE OF APPLICATION**

1. The purpose of this Agreement is to facilitate the issuance of visas for an intended stay of no more than 90 days per period of 180 days to the citizens of Georgia.
2. If Georgia reintroduces the visa requirement for the citizens of all Member States or certain categories of the citizens of all Member States, the same facilitations granted under this agreement to the citizens of Georgia would automatically, on the basis of reciprocity, apply to the EU citizens concerned.

## **ARTICLE 2- GENERAL CLAUSE**

1. The visa facilitations provided in this Agreement shall apply to citizens of Georgia only insofar as they are not exempted from the visa requirement by the laws and regulations of the Community or the Member States, the present agreement or other international agreements.
2. The national law of Georgia or of the Member States or Community law shall apply to issues not covered by the provisions of this Agreement, such as the refusal to issue a visa, recognition of travel documents, proof of sufficient means of subsistence and the refusal of entry and expulsion measures.

## **ARTICLE 3 - DEFINITIONS**

For the purpose of this Agreement:

- a) "*Member State*" shall mean any Member State of the European Union, with the exception of the Kingdom of Denmark, the Republic of Ireland and the United Kingdom;
- b) "Citizen of the European Union" shall mean a national of a Member State as defined in paragraph (a);
- c) "Citizen of Georgia" shall mean a person who holds the citizenship of Georgia in accordance with its national legislation;
- d) "Visa" shall mean an authorization issued by a Member State with a view to transit through or an intended stay in the territory of Member States of a duration of no more than three months in any six-month period from the date of first entry in the territory of the Member States;
- e) "legally residing person" shall mean a citizen of Georgia authorized or entitled to stay for more than 90 days in the territory of a Member State, on the basis of Union or national legislation.

## **ARTICLE 4- DOCUMENTARY EVIDENCE REGARDING THE PURPOSE OF THE JOURNEY**

1. For the following categories of citizens of Georgia, the following documents are sufficient for justifying the purpose of the journey to the other Party:
  - (a) For close relatives – spouse, children (including adopted), parents (including custodians), grandparents, grandchildren, visiting citizens of Georgia legally residing in the territory of the Member States":
    - A written request from the host person;
  - (b) For members of official delegations who, following an official invitation to Georgia, shall participate in meetings, consultations, negotiations or exchange programs, as well as in events held in the territory of the Member States by intergovernmental organizations:

- A letter issued by a Georgian authority confirming that the applicant is a member of this delegation travelling to the territory of the Member States to participate in the aforementioned events, accompanied by a copy of the official invitation;
- (c) For pupils, students, post-graduate persons and accompanying teachers who undertake trips for the purposes of study or educational training, including in the framework of exchange programs as well as other school-related activities:
  - A written request or a certificate of enrolment from the Host University, college or school or student cards or certificates of the courses to be attended;
- (d) For persons travelling for medical reasons and necessary accompanying persons:
  - An official document of the medical institution confirming necessity of medical care in this institution, the necessity of being accompanied and proof of sufficient financial means to pay for the medical treatment;
- (e) For journalists and accredited persons accompanying them in a professional capacity:
  - A certificate or other document issued by a professional organization proving that the person concerned is a qualified journalist or accompanying person in a professional capacity and a document issued by his/her employer stating that the purpose of the journey is to carry out journalistic work or assist in such work;
- (f) For participants in international sport events and persons accompanying them in a professional capacity:
  - A written request from the host organization, competent authorities, national sport Federations or national Olympic Committees of the Member States;
- (g) For business people and representatives of business organizations :
  - A written request from the host legal person or company, organization or an office or a branch of such legal person or company, state or local authorities of the Member States or organizing committees or trade and industrial exhibitions, conferences and symposia held in the territories of the Member states, endorsed by the state chamber of Registration of Georgia;
- (h) For members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held on the territory of the Member States of the EU:
  - A written request from the host organization confirming that the person concerned is participating in the event;
- (i) For representatives of civil society organizations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programs:
  - -A written request issued by the host organization, a confirmation that the person is representing the civil society organization and the certificate on establishment of

such organization from the relevant register issued by a state authority in accordance with the national legislation;

- (j) For persons participating in scientific, cultural, artistic activities, including university and other exchange programs:
    - A written request from the host organization to participate in the activities;
  - (k) For drivers conducting international cargos and passenger transportation services to the territories of the Member States in vehicles registered in Georgia:
    - A written request from the national company or association of carriers of Georgia providing for international road transportation, stating the purpose, duration and frequency of the trips;
  - (l) For participants of the official exchange programs organized by twin cities:
    - A written request of the Head of Administration/Mayor of these cities or municipal authorities;
  - (m) For visiting military and civil burial grounds:
    - An official document confirming the existence and preservation of the grave as well as family or other relationship between the applicant and the buried;
2. The written request mentioned in paragraph 1 of the present Article shall include the following items:
- (a) for the invited person: name and surname, date of birth, sex, citizenship, number of the passport, time and purpose of the journey, number of entries and where relevant the name of the spouse and children accompanying the invited person;
  - (b) For the inviting person: name, surname and address;
  - (c) For the inviting legal person, company or organisation: full name and address and
    - If the request is issued by an organisation or authority, the name and position of the person who signs the request;
    - if the inviting person is a legal person or company or an office or a branch of such legal person or company established in the territory of the Member state, the registration number as required by the national law of the member State concerned;
3. For the categories of persons mentioned in paragraph 1 of present Article, all categories of visas are issued according to the simplified procedure without requiring any other justification, invitation or validation concerning the purpose of the journey, provided for by the legislation of the Member States.

## ARTICLE 5 - ISSUANCE OF MULTIPLE-ENTRY VISAS

1. Diplomatic missions and consular services of the Member States shall issue multiple-entry visas with the term of validity of up to five years to the following categories of citizens:
  - (a) Spouses, children (including adopted) who are under the age of 21 or are dependent, parents visiting citizens of Georgia legally residing in the territory of the Member states with the term of validity limited to the duration of the validity of their authorisation for legal residence;
  - (b) Members of national and regional governments , Constitutional court and Supreme court if they are not exempted from the visa requirement by this agreement, in the exercise of their duties, with a term of validity limited of their term of office if this is less than 5 years;
  - (c) Permanent members of official delegations who, following an official invitation addressed to Georgia, are to participate regularly in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member states by intergovernmental organisations;
2. Diplomatic missions and consular services of the Member States shall issue multiple-entry visas with the term of validity of up to one year to the following categories of persons, provided that during the previous year they have obtained at least one visa, have made use of it in accordance with the laws on entry and stay of the visited State and that there are reasons for requesting a multiple-entry visa:
  - (a) Members of official delegations who, following an official invitation, are to participate regularly in meetings, consultations, negotiations or exchange programs, as well as in events held in the territory of the Member States by intergovernmental organizations;
  - (b) Representatives of civil society organizations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange programs;
  - (c) Members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States;
  - (d) Persons participating in scientific, cultural and artistic activities, including university and other exchange programs who regularly travel to Member States";
  - (e) Students and post-graduate persons who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;
  - (f) Participants in official exchange programmes organized by twin cities or municipal authorities.
  - (g) Persons needing to visit regularly for medical reasons and necessary accompanying persons

- (h) Journalists and accredited persons accompanying them in a professional capacity;
  - (i) Business people and representatives of business organizations who regularly travel to Member States;
  - (j) Participants in international sports events and persons accompanying them in a professional capacity;
  - (k) Drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in Georgia
3. Diplomatic missions and consular services of the Member States shall issue multiple-entry visas with the term of validity of a minimum of 2 years and a maximum of 5 years to the categories of persons referred to in paragraph 2 of the present Article, provided that during the previous two years they made use of the one year multiple-entry visas in accordance with the laws on entry and stay of the host State and that the reasons for requesting a multiple-entry visa are still valid.
  4. The total period of stay of persons referred to in paragraph 1 to 3 of present Article shall not exceed 90 days per period of 180 days in the territory of the Member States.

#### **ARTICLE 6-FEES FOR PROCESSING VISA APPLICATIONS**

1. The fee for processing visa applications of citizens of Georgia shall amount to 35€

The aforementioned amount may be reviewed in accordance with the procedure provided for in Article 14(4).

If Georgia reintroduces the visa requirement for all EU citizens, the visa fee to be charged by Georgia shall not exceed €35€ or the amount agreed if the fee is reviewed in accordance with the procedure provided for in Article.

2. When Member States cooperate with an external service provider, an additional service may be charged. The service fee shall be proportionate to the costs incurred by the external service provider while performing his tasks and shall not exceed 30 euro. The Member State(s) concerned shall maintain the possibility for all applicants to lodge their applications directly at its/their consulates.
3. The fees for processing the visa application are waived for the following categories of citizens :
  - (a) Pensioners;
  - (b) Children below the age of 12;
  - (c) Members of national and regional governments, Constitutional court and Supreme court, in case they are not exempted from the visa requirement by the present Agreement ;
  - (d) Disabled persons and the persons accompanying them, if necessary ;

- (e) Close relatives – spouse, children (including adopted), parents (including custodians), grandparents, grandchildren- who are visiting citizens of Georgia legally residing in the territory of Member State;
- (f) Members of official delegations who, following an official invitation addressed to Georgia, are to participate in meetings, consultations, negotiations or exchange programs, as well as in events held in the territory of the Member States of the EU by intergovernmental organizations;
- (g) Pupils, students, post-graduate students and accompanying teachers who undertake trips for the purposes of study or educational training, including exchange programs as well as other school-related activities;
- (h) Journalists and accredited persons accompanying them in a professional capacity;
- (i) Participants in international sport events and persons accompanying them in a professional capacity ;
- (j) Representatives of civil society organizations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programs;
- (k) Persons participating in scientific, cultural, artistic activities, including university and other exchange programs ;
- (l) Persons who have presented documents proving the necessity of their travel on humanitarian grounds, including to receive urgent medical treatment and the person accompanying such person, or to attend a funeral of a close relative or to visit a seriously ill close relative

#### **ARTICLE 7- DURATION OF THE VISA APPLICATION PROCEDURE**

1. Diplomatic missions and consular services of the Member States shall take a decision upon the request to issue a visa within 10 calendar days starting from the date of the receipt of the application and documents required for issuing visas.
2. The period of time for taking a decision on a visa application may be extended up to 30 calendar days in individual cases, notably when further review of the application is needed.
3. The period of time for taking a decision on a visa application may be reduced to 2 working days or less in urgent cases.

#### **ARTICLE 8- DEPARTURE IN CASE OF LOST OR STOLEN DOCUMENTS**

Citizens of the European Union and of Georgia who have lost their identity documents, or from whom these document have been stolen while staying in the territory of the Georgia or Member States, may leave that territory on the basis of valid identity documents entitling them to cross the border issued by diplomatic missions or consular posts of the Member States or of Georgia without any visa or other authorisation.

## **ARTICLE 9- EXTENSION OF VISAS IN EXCEPTIONAL CIRCUMSTANCES**

The period of validity and/or duration of stay of an issued visa of a citizen of Georgia shall be extended when the competent authority of a Member State considers that the visa holder has provided proof of force majeure or humanitarian reasons preventing him from leaving the territory of the Member States before expiry of the period of validity of or the duration of stay authorised by the visa. Such an extension shall be granted free of charge.

## **ARTICLE 10- DIPLOMATIC PASSPORTS**

Citizens of the Georgia who are holders of valid diplomatic passports may enter, leave and transit through the territories of the Member States without visas.

Persons mentioned in paragraph 1 may stay in the territories of Member States for a period not exceeding 90 days per period of 180 days .

## **ARTICLE 11- TERRITORIAL VALIDITY OF VISAS**

Subject to the national rules and regulations concerning national security of the Member States and subject to EU regulations on visas with limited territorial validity, the citizens of Georgia shall be entitled to travel within the territory of the Member States on equal basis with European Union citizens.

## **ARTICLE 12- JOINT COMMITTEE FOR MANAGEMENT OF THE AGREEMENT**

1. The Parties shall set up a Joint Committee of experts (hereinafter referred to as “the Committee”), composed by representatives of the European Union and of Georgia. The Union shall be represented by the Commission, assisted by experts from the Member States.
2. The Committee shall, in particular, have the following tasks:
  - (a) Monitoring the implementation of the present Agreement;
  - (b) Suggesting amendments or additions to the present Agreement;
  - (c) Settling disputes arising out of the interpretation or application of the provisions in this Agreement.
3. The Committee shall meet whenever necessary at the request of one of the Parties and at least once a year.
4. The Committee shall establish its rules of procedure.

## **ARTICLE 13 – CONNECTION OF THIS AGREEMENT WITH BILATERAL AGREEMENTS**

### **between Member States and Georgia**

As from its entry into force, this Agreement shall take precedence over provisions of any bilateral or multilateral agreements or arrangements concluded between individual Member



States and Georgia, insofar as the provisions of the latter agreements or arrangements cover issues dealt with by this Agreement.

#### **ARTICLE 14- FINAL CLAUSES**

1. This Agreement shall be ratified or approved by the Parties in accordance with their respective procedures and shall enter into force on the first day of the second month following the date on which the last Party notifies the other that the procedures referred to above have been completed.
2. By way of derogation to paragraph 1 of this Article, the present agreement shall only enter into force on the date of the entry into force of the Agreement between the European Union and Georgia on readmission if this date is after the date provided for in paragraph 1 of this Article.
3. his Agreement is concluded for an indefinite period of time, unless terminated in accordance with paragraph 6 of this Article.
4. his Agreement may be amended by written agreement of the Parties. Amendments shall enter into force after the Parties have notified each other of the completion of their internal procedures necessary for this purpose.
5. Each Party may suspend in whole or in part this Agreement for reasons of public order, protection of national security or protection of public health. The decision on suspension shall be notified to the other Party not later than 48 hours before its entry into force. The Party that has suspended the application of this Agreement shall immediately inform the other Party once the reasons for the suspension no longer apply.
6. Each Party may terminate this Agreement by giving written notice to the other Party. This Agreement shall cease to be in force 90 days after the date of such notification.

Done in XXX on XXX, in duplicate each in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Georgian languages, each of these texts being equally authentic.

For the European Union For Georgia

#### **PROTOCOL TO THE AGREEMENT ON THE MEMBER STATES THAT DO NOT FULLY APPLY THE SCHENGEN ACQUIS**

Those Member States which are bound by the Schengen acquis but which do not issue yet Schengen visas, while awaiting the relevant decision of the Council to that end, shall issue national visas the validity of which is limited to their own territory.

In accordance with European Parliament and Council Decision N° 582/2008/EC harmonized measures have been taken in order to simplify the transit of holders of Schengen visa and Schengen residence permits through the territory of the Member States that do not fully apply the Schengen acquis yet.

## **JOINT DECLARATION ON ARTICLE 10 ON DIPLOMATIC PASSPORTS**

The European Union might invoke a partial suspension of the agreement and in particular of Article 10, in accordance with the procedure set up by Article 14 (5), if the implementation of Article 10 is abused by the other Party or leads to a threat to public security.

In case of suspension of implementation of Article 10, both Parties shall initiate consultations within the framework of the Joint Committee set up by the agreement with a view to solve the problems that lead to the suspension.

As a priority, both Parties declare their commitment to ensure a high level of document security for diplomatic passports, in particular by integrating biometric identifiers. For the EU side, this will be ensured in compliance with the requirements set out in Regulation (EC) 2252/2004.

## **JOINT DECLARATION ON THE HARMONISATION OF INFORMATION ON PROCEDURES FOR ISSUING SHORT STAY VISA AND DOCUMENTS TO BE SUBMITTED WHEN APPLYING FOR SHORT STAY VISAS**

Recognizing the importance of transparency for visa applicants, the Parties to the present Agreement consider the possibility of applying the following measures:

- To draw up general information for the applicants on the procedures and conditions for applying for visas, the visas and on the validity of issued visas.
- The European Union will draw up a list of minimum requirements in order to ensure that Georgian applicants are given coherent and uniform basic information and are required to submit, in principle, the same supporting documents.

The information mentioned above is to be disseminated widely (on the information board of consulates, in leaflets, on websites etc.).

## **JOINT DECLARATION CONCERNING DENMARK**

The Parties take note that the present Agreement does not apply to the procedures for issuing visas by the diplomatic missions and consular services of the Kingdom of Denmark.

In such circumstances, it is desirable that the authorities of Denmark and of Georgia conclude, without delay, a bilateral agreement on the facilitation of the issuance of short-stay visas in similar terms as the Agreement between the European Union and Georgia.

## **JOINT DECLARATION CONCERNING THE UNITED KINGDOM AND IRELAND**

The Parties take note that the present Agreement does not apply to the territory of the United Kingdom and Ireland.

In such circumstances, it is desirable that the authorities of the United Kingdom, Ireland and Georgia, conclude bilateral agreements on the facilitation of the issuance of visas.

## **JOINT DECLARATION CONCERNING ICELAND, NORWAY, SWITZERLAND AND LIECHTENSTEIN**

The Parties take note of the close relationship between the European Union and Norway, Iceland, Switzerland and Liechtenstein, particularly by virtue of the Agreements of 18 May 1999 and 26 October 2004 concerning the association of these countries with the implementation, application and development of the Schengen acquis.

In such circumstances, it is desirable that the authorities of Norway, Iceland, Switzerland and Liechtenstein and Georgia conclude, without delay, bilateral agreements on the facilitation of the issuance of short-stay visas in similar terms as the Agreement between the European Union and Georgia.

## **EUROPEAN UNION DECLARATION ON FACILITATIONS FOR FAMILY MEMBERS**

The European –Union took note of the suggestion of Georgia to give a wider definition to the notion of family members that should benefit from visa facilitation as well as of the importance that Georgia attaches to the simplification of movement of this category of persons.

In order to ease the mobility of an extended number of persons which have family links (in particular sisters and brothers and their children) with Georgian citizens legally residing in the territories of Member States, the European Union invites the Member States' consular offices to make full use of the existing possibilities in the "acquis" for facilitating the issuance of visas to this category of persons, including in particular, the simplification of documentary evidence requested for the applicants, exemptions from handling fees and where appropriate the issuing of multiple entry visas.

## **EUROPEAN UNION DECLARATION ON THE SUSPENSION OF THE VISA FACILITATION AGREEMENT**

In case Georgia in violation of Article 1 paragraph 2 of the Agreement, reintroduces the visa requirement for the citizens of one or more EU Member States or certain categories of the citizens of one or more EU Member States, the European –Union will suspend the application of this Agreement.

## **JOINT DECLARATION ON COOPERATION ON TRAVEL DOCUMENTS**

The Parties agree that the Joint Committee established under Article 12, when monitoring the implementation of the Agreement, should evaluate the impact of the level of security of the respective travel documents on the functioning of the Agreement. To that end, the Parties agree to regularly inform each other about the measures taken for avoiding the proliferation of travel documents, developing the technical aspects of travel document security as well as regarding the personalization process of the issuance of travel documents.

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