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Proposal for a

**COUNCIL DECISION**

**concerning the conclusion of the Agreement between the European Community and the Republic of Armenia on the facilitation of the issuance of visas**

## EXPLANATORY MEMORANDUM

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

In the context of the Eastern Partnership Summit Declaration of 7 May 2009, the EU and the partner countries stated their political support towards liberalisation of the visa regime in a secure environment and reaffirmed their intention to take gradual steps towards a visa free regime for their citizens in due course.

On that basis and as a first concrete step forward, the Commission presented on 16 September 2011 a recommendation to the Council in order to authorise the Commission to open negotiations with the Republic of Armenia on a Visa Facilitation Agreement.

Following the authorisation given by the Council on 19 December 2011, the negotiations with the Republic of Armenia on a Visa Facilitation Agreement were opened in Yerevan on 27 February 2012. Two further rounds of negotiations took place on 24 April 2012 in Brussels and on 28 June 2012 in Yerevan. The final text of the Agreement was initialled in Brussels on 18 October 2012 by the chief negotiators.

By Government decision adopted on 4 October 2012, Armenia decided to exempt all EU Citizens, as well as those from the Schengen associated countries, from the visa obligation as from 10 January 2013.

Member States have been regularly informed and consulted in the relevant Council Working Groups at all stages of the negotiations.

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

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

### **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 amending Agreement is acceptable to the Union.

The final content of it can be summarised as follows:

### **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 two working days or less. As a rule, the visa applicants can have an

appointment for lodging their application within a period of two weeks from the date of request and in cases of urgency immediately or without an appointment.

- the visa fee for processing applications of Armenian citizens shall amount to 35 €. This fee will be applied to all Armenian visa applicants and concerns both single and multiple-entry visas. Moreover, certain categories of persons benefit from a full waiver of the visa fee: pensioners, close relatives, members of national and regional governments, members of official delegations participating in government activities, pupils and students, persons with disabilities, journalists and the technical crew accompanying them, representatives of civil society and persons invited by Armenian Community non-profit Organisations, 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, pupils and students, participants in scientific, cultural and sporting events, journalists, persons visiting military and civil burials, representatives of civil society and participants in Pan-Armenian community non-profit organisations, 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 Armenia legally residing in the Member States or EU citizens residing in the territory of the Member States of which they are nationals: visas valid for 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 and the Pan-Armenian diaspora non-profit organisations, 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 Armenia 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 unilateral recognition of Schengen visas and residence permits issued to Armenian 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 the implementation of Article 10 on diplomatic passports.

- An EU Declaration is attached to the Agreement on documents to be submitted when applying for short-stay visas.
- 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. The close association of Norway, Iceland, Switzerland and Liechtenstein to the implementation, application and development of the Schengen acquis is reflected in a Joint Declaration to the Agreement.

### **III. CONCLUSIONS**

In 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 the Republic of Armenia on the facilitation of the issuance of visas.

Proposal for a

## COUNCIL DECISION

**concerning the conclusion of the Agreement between the European Community and the Republic of Armenia 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 2012/XXX of [...] <sup>2</sup>, the Agreement between the European Union and the Republic of Armenia 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) In accordance with the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and to 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,
- (4) In accordance with the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union and confirming that the provisions of this Agreement do not apply to Denmark,

HAS ADOPTED THIS DECISION:

### *Article 1*

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

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

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

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*

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**  
**AGREEMENT**  
**between**  
**the European Union and the Republic of Armenia**  
**on the facilitation of the issuance of visas**

THE EUROPEAN UNION hereinafter referred to as "the Union",

And

THE REPUBLIC OF ARMENIA, hereinafter referred to as Armenia,

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 Armenia,

BEARING IN MIND the Agreement on Partnership and Cooperation establishing a Partnership between the Union and its Member States, of the one part, and Armenia, of the other part, as well as the intention of the Parties to conclude an EU-Armenia Association Agreement,

HAVING REGARD to the Joint Declarations of the Prague and Warsaw Eastern Partnership Summits held respectively on 7 May 2009 and on 30 September 2011 stating the political support towards visa liberalization of the visa regime in a secure environment,

REAFFIRMING the intention to take gradual steps towards a visa-free travel regime for their citizens in due course, provided that conditions for well-managed and secure mobility are in place,

BEARING IN MIND that, as from 10 January 2013 all citizens of the Union are exempted from the visa requirement when travelling to Armenia for a period of time not exceeding 90 days or transiting through the territory of Armenia,

RECOGNISING that if Armenia reintroduces visa requirements for the citizens of the Union or certain categories of them, the same facilitations granted under this Agreement to the citizens of Armenia would automatically, on the basis of reciprocity, apply to the citizens of the Union concerned,

BEARING IN MIND that these visa requirements can only be reintroduced for all citizens of the Union or certain categories of citizens of the Union,

RECOGNISING that visa facilitation should not lead to irregular migration and paying special attention to security and readmission,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice and the Protocol of the Schengen acquis integrated 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 Armenia.
2. If Armenia reintroduces the visa requirements for the citizens of the Union or certain categories of them, the same facilitations granted under this Agreement to the citizens of Armenia would automatically, on the basis of reciprocity, apply to the citizens of the Union concerned,

### *Article 2*

#### **General clause**

1. The visa facilitations provided in this Agreement shall apply to citizens of Armenia only insofar as they are not exempted from the visa requirement by the laws and regulations of the Union or the Member States, this Agreement or other international Agreements.
2. The national law of Armenia or of the Member States or the Union 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 Union' shall mean a national of a Member State as defined in point (a);

(c) 'citizen of Armenia' shall mean any person who holds the citizenship of Armenia in accordance with the legislation of the Republic of Armenia;

(d) 'visa' shall mean: an authorisation issued by a Member State with a view to transiting through or an intended stay of a duration of no more than 90 days in any 180-day period in the territory of Member States;

(e) 'legally residing person' shall mean: a citizen of Armenia authorized or entitled to stay for more than 90 days in the territory of a Member State, on the basis of Union law or national legislation.

#### *Article 4*

### **Documentary evidence regarding the purpose of the journey**

1. For the following categories of citizens of Armenia, the following documents are sufficient for justifying the purpose of the journey to the other Party:

(a) for close relatives – spouses, children (including adopted), parents (including custodians), grandparents, grandchildren visiting citizens of Armenia legally residing in the Member States, or citizens of the European Union residing in the territory of the Member State of which they are nationals:

- a written request from the host person;

(b) for members of official delegations including permanent members of such delegations who, following an official invitation addressed to Armenia, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of one of the Member States by intergovernmental organisations:

- a letter issued by a competent authority of Armenia confirming that the applicant is a member of its delegation, respectively a permanent member of its delegation, travelling to the territory of the other Party 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 programmes 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 technical crew accompanying them in a professional capacity:

- a certificate or other document issued by a professional organisation or the applicant's employer proving that the person concerned is a qualified journalist and stating that the purpose of the journey is to carry out journalistic work or proving that he/she is a member of the technical crew accompanying the journalist in a professional capacity;

(f) for participants in international sport events and persons accompanying them in a professional capacity:

- a written request from the host organisation, competent authorities, national sport federations or national Olympic committees of the Member State;

(g) for business people and representatives of business organisations:

- a written request from the host legal person or company, organisation or an office or a branch of such legal person or company, state or local authorities of the Member States or organising committees or trade and industrial exhibitions, conferences and symposia held in the territories of one of the Member States, endorsed by the competent authorities in accordance with the national legislation;

(h) for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events:

- a written request from the host organisation confirming that the person concerned is participating in the event;

(i) for representatives of civil society organisations and persons invited by Armenian community non-profit organisations registered in the Member States when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes or Pan-Armenian and community support programmes:

- a written request issued by the host organisation, a confirmation that the person is representing the civil society organisation or participating in Pan-Armenian or community support activities and the certificate on establishment of such organisation from the relevant register issued by a state authority in accordance with the national legislation;

(j) for persons participating in scientific, academic, cultural or artistic activities, including university and other exchange programmes:

- a written request from the host organisation to participate in the activities;

(k) for drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in Armenia:

-a written request from the national association (union) of carriers of Armenia providing for international road transportation, stating the purpose, itinerary, duration and frequency of the trips;

(l) for participants of the official exchange programmes organised by twin cities and other municipal entities:

- 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. For the purposes of the present Article the written request shall include the following items:

(a) for the invited person: name and surname, date of birth, sex, citizenship, passport number, 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 a 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 this 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 Parties.

#### *Article 5*

#### **Issuance of multiple-entry visas**

1. Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with a term of validity of 5 years to the following categories of persons:

(a) spouses, children (including adopted), who are under the age of 21 or are dependent and parents (including custodians), visiting citizens of Armenia legally residing in the Member States, or citizens of the European Union residing in the territory of the Member State of which they are nationals;

(b) members of national and regional governments and of Constitutional and Supreme courts if they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties;

(c) permanent members of official delegations who, following an official invitation addressed to Armenia, 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;

By way of derogation, where the need or the intention to travel frequently or regularly is manifestly limited to a shorter period, the term of validity of the multiple-entry visa shall be limited to that period, in particular where:

-in the case of the persons referred to in lit. a, the period of validity of the authorisation for legal residence of citizens of Armenia legally residing in the European Union,

-in case of the persons referred to in lit. b, the term of office,

- in the case of the persons referred to in lit. c, the term of the validity of the status as a permanent member of an official delegation,

is less than five years.

2. Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with the term of validity of 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:

(a) members of official delegations who, following an official invitation addressed to Armenia, shall 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;

(b) representatives of civil society organisations and persons invited by Armenian community non-profit organisations registered in the Member States when undertaking trips to the Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes or Pan-Armenian and community support programmes;

(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 or artistic activities, including university and other exchange programmes, who regularly travel to the 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 of the official exchange programmes organised by twin cities and other municipal entities;
- (g) persons needing to visit regularly for medical reasons and necessary accompanying persons;
- (h) journalists and technical crew accompanying them in a professional capacity;
- (i) business people and representatives of business organisations who regularly travel to the 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 Armenia.

By way of derogation from the first sentence, where the need or the intention to travel frequently or regularly is manifestly limited to a shorter period, the term of validity of the multiple-entry visa shall be limited to that period.

3. Diplomatic missions and consular posts 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 this Article, provided that during the previous 2 years they have made use of the one year multiple-entry visas in accordance with the laws on entry and stay of the visited State unless the need or the intention to travel frequently or regularly is manifestly limited to a shorter period, in which case the term of validity of the multiple-entry visa shall be limited to that period.

4. The total period of stay of persons referred to in paragraphs 1 to 3 of this 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 shall amount to EUR 35.

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

2. Without prejudice to paragraph 3 fees for processing the visa application are waived for the following categories of persons:

- (a) pensioners;
- (b) children under the age of 12;
- (c) members of national and regional governments and of Constitutional and Supreme courts, in case they are not exempted from the visa requirement by this Agreement;
- (d) persons with disabilities and the persons accompanying them, if necessary;
- (e) close relatives – spouse, children (including adopted), parents (including custodians), grandparents or grandchildren – of citizens of Armenia legally residing in the territory of the Member States, or citizens of the European Union residing in the territory of the Member State of which they are nationals;
- (f) members of official delegations, including permanent members of official delegations, who, following an official invitation addressed to Armenia, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of one of the Member States by intergovernmental organisations;
- (g) pupils, students, post-graduate students and accompanying teachers who undertake trips for the purposes of study or educational training, including exchange programmes as well as other school-related activities;
- (h) journalists and technical crew 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 organisations and persons invited by Armenian community non-profit organisations registered in the Member States when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes or Pan-Armenian and community support programmes;
- (k) persons participating in scientific, academic, cultural or artistic activities, including university and other exchange programmes;
- (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.

3. If a Member State cooperates with an external service provider in view of issuing a visa the external service provider may charge a service fee. This fee shall be proportionate to the costs incurred by the external service provider while performing its tasks and shall not exceed EUR 30. The Member States shall maintain the possibility for all applicants to lodge their applications directly at their consulates.

For the Union, the external service provider shall conduct its operations in accordance with the Visa Code and in full respect of Armenian legislation.

#### *Article 7*

### **Length of procedures for processing visa applications**

1. Diplomatic missions and consular posts of the Member States shall take a decision on the request to issue a visa within 10 calendar days of the date of the receipt of the application and documents required for issuing the visa.
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 scrutiny 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.
4. If applicants are required to obtain an appointment for the lodging of an application the appointment shall, as a rule, take place within a period of two weeks from the date when the appointment was requested. In justified cases of urgency, the consulate may allow applicants to lodge their applications either without appointment, or an appointment shall be given immediately.

#### *Article 8*

### **Departure in case of lost or stolen documents**

Citizens of the Union and of Armenia who have lost their identity documents, or from whom these documents have been stolen while staying in the territory of Armenia or the Member States, may leave the territory of Armenia or the Member States 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 Armenia without any visa or other authorisation.

#### *Article 9*

### **Extension of visa in exceptional circumstances**

Citizens of Armenia who are not able to leave the territory of the Member States by the time stated in their visas for reasons of force majeure or humanitarian reasons shall have the term of their visas extended free of charge in accordance with the legislation applied by the receiving Member State for the period required for their return to the State of their residence.

#### *Article 10*

### **Diplomatic passports**

1. Citizens of Armenia who are holders of valid diplomatic passports may enter, leave and transit through the territories of the Member States without visas.
2. Persons mentioned in paragraph 1 may stay without visas 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 rules on visas with limited territorial validity, citizens of Armenian 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**

The Parties shall set up a Joint Committee of experts (hereinafter referred to as “the Committee”), composed by representatives of the Union and of Armenia. 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*

### **Relation of this Agreement with bilateral Agreements between Member States and Armenia**

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 Armenia, in so far 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 Parties notify each other that the procedures referred to above have been completed.
2. By way of derogation from paragraph 1 of this Article, this Agreement shall only enter into force on the date of the entry into force of the Agreement between the European Union and Armenia on readmission if this date is after the date provided for in paragraph 1 of this Article.
3. This Agreement is concluded for an indefinite period of time, unless terminated in accordance with paragraph 6 of this Article.
4. This 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 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 Armenian languages, each of these texts being equally authentic.

*ANNEX*

**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 Decision No 582/2008/EC of the European Parliament and of the Council of 17 June 2008 introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by Bulgaria, Cyprus and Romania of certain documents as equivalent to their national visas for the purposes of transit through their territories<sup>3</sup> harmonised 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.

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<sup>3</sup> OJ L 161, 20.6.2008, p. 30.

### **Joint Declaration on Article 10 of the Agreement on diplomatic passports**

The Union or Armenia 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 the 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 Union, this will be ensured in compliance with the requirements set out in Regulation (EC) 2252/2004 of 13 December 2004 on standards for security features and biometrics in passports and travel documents issued by Member States<sup>4</sup>.

### **European Union Declaration on documents to be submitted when applying for short stay visas**

The European Union will intensify efforts and endeavour to draw up before the entry into force of the EU-Armenia Visa Facilitation Agreement a list of minimum requirements in order to ensure that Armenian applicants are given coherent and uniform basic information, in accordance with Article 47 (1)(a) of the Visa Code, 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 Denmark.

In such circumstances, it is appropriate that the authorities of Denmark and of Armenia 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 Armenia.

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<sup>4</sup> OJ L385, 29.12.2004, p.1.

### **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 appropriate that the authorities of the United Kingdom, Ireland and Armenia, 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 Switzerland, Iceland, Liechtenstein, and Norway, 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 appropriate that the authorities of Switzerland, Iceland, Liechtenstein, and Norway and Armenia 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 Armenia.

### **Joint Declaration on cooperation on travel documents**

The Parties agree that the Joint Committee established under Article 12 of the Agreement, 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 personalisation process of the issuance of travel documents.

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