



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 16 June 2011

11369/11

LIMITE

VISA 103

COMIX 391

OUTCOME OF PROCEEDINGS

of :	Visa Working Party/Mixed Committee (EU-Iceland/Liechtenstein/Norway/Switzerland)
on :	18 May 2011
Subject :	Summary of discussions

1. "Centro Commun de Vistos (CCV)" in Praia (Cape Verde)

PT presented the CCV, which is an initiative developed by Portugal, together with Belgium and Luxembourg, in the framework of the Partnership for Mobility between the EU and Cape Verde. The project is co-financed by the Commission. The CCV was officially inaugurated on 17 May 2010 and opened to the public three days later. The objectives of the CCV are, among others, to provide for the issuance of biometric visas, to improve the service provided by introducing an appointment system, to reduce the waiting time for an interview, and to increase the number of visas issued within 48 hours. Since May 2010, the CCV has issued 7694 short-stay visas.

COM, while issuing a positive assessment of the CCV, stressed that it could not be considered as a Common Application Centre (CAC), in accordance with Article 41(2) of the Visa Code, as only Portuguese staff were employed; this was contrary to the requirements of that Article, according to which staff from two or more Member States must be pooled in order for a CAC to be established. Consequently, it was not eligible for financing by the European Borders Fund.

2. Proposal for a Decision of the European Parliament and of the Council on the list of travel documents entitling the holder to cross the external borders and which may be endorsed with a visa and on setting up a mechanism for establishing this list

The **Chair** reported on the state of play of the file and said that, following the meeting of JHA Counsellors on 3 May, the amendments tabled by the Rapporteur of the LIBE Committee of the European Parliament were acceptable for all delegations, except one concerning Article 4(1) of the draft Decision as set out in 9466/11, on which five delegations still had a reservation.

PT indicated that Portugal could lift its reservation on the text of Article 4(1) as proposed by the Presidency in 9466/11.

The **Chair** thanked PT for its flexibility and reported that the Presidency would continue its negotiations with those delegations which still had a reservation, with a view to reaching a consensus within the Council before confirming political agreement to the Rapporteur.

3. Cooperation in the field of the issuance of visas

COM informed delegations that the call for financial resources of the External Borders Fund (EBF) under Community actions for 2010 had not been launched, since the funds had been redirected to cover the emergency situation in the Southern Mediterranean. Projects for such actions were currently under examination. If, at the end of the examination, in the autumn of this year, it appeared that there were still financial resources available, these may be used for the original purpose. COM recalled that funds for Member States' annual programmes may also be used for setting up CACs and delegations were invited to contact the authority charged with managing the Fund at national level to enquire about those funding possibilities.

The **Chair** was of the opinion that the Commission had delayed Member States' EBF funding requests since the Commission did not always honour its own deadlines and the procedure involved too much red tape.

PL and **FI** stressed that proper implementation of the Visa Code required financial assistance and that the financial resources for next year had to be clarified. **AT** added that CACs would mean a more costly solution and pleaded instead for the conclusion of representation agreements between Member States.

COM recalled that the redirection of means was based on unanimous Council conclusions.

The **Chair** concluded that those issues should be addressed among experts once it had been clarified whether financial means would be available.

4. Other business

- a. Possible transfer to Annex II of Regulation (EC) No 539/2001, of citizens of the United Arab Emirates, as well as citizens of the other Gulf Cooperation Council countries (Bahrain, Saudi Arabia, Oman, Qatar, Kuwait)**

EL invited the Commission to table a proposal initiative in order to transfer the abovementioned countries from Annex I to Annex II, provided that all EU citizens would be reciprocally exempt from the visa requirement.

- b. Visa for Tunisia for EU nationals**

CY asked whether there was a possibility for Tunisia to grant a visa exemption to all EU citizens.

COM replied that this issue could be dealt with in a future Commission communication on a dialogue for migration, mobility and security with the southern Mediterranean countries.

- c. Issuance of diplomatic passports to Serbian sportsmen**

CZ reported that Serbia had issued diplomatic passports to sportsmen and stated that this was not a category to which diplomatic passports should be issued.

COM said that the matter had to be further examined before discussing it with the Serbian authorities.

- d. Visa exemption for holders of diplomatic passports from Oman**

AT reported that Austria was about to open negotiations with Oman on a mutual Visa Waiver Agreement for diplomatic staff. **BE** stated that the Benelux countries had also commenced negotiations with that country for the same reasons.

e. Member States' procedures for appeal of negative decisions on visa applications

COM reported that the Commission was still awaiting contributions from two Member States. Furthermore, **COM** reported that once the information on the procedures was complete, the Commission would send it to the Member States, the European Parliament and the third countries concerned.

f. Ukraine local border agreement

RO reported on the bilateral consultations which Romania was conducting with Ukraine about the local border traffic regime, and indicated that the negotiations had not yet been concluded.
