



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 8 November 2010
(OR. fr)**

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REV 1**

**Interinstitutional File:
2010/0137 (COD)**

**VISA 266
COWEB 282
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COMIX 731**

NOTE

from:	Presidency
to:	Council/Mixed Committee
No. prev. doc.:	15688/10 VISA 256 COWEB 276 CODEC 1171 COMIX 714
No. Cion. prop.:	10364/10 VISA 145 COWEB 159 CODEC 496 COMIX 400 (COM(2010) 256 final)
Subject:	Proposal for a Regulation of the European Parliament and of the Council of the European Union amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders of Member States and those whose nationals are exempt from that requirement (first reading) – Commission statement

Delegations will find attached a Commission statement with a view to examination of the above proposal by the Council/Mixed Committee on 8 November 2010.

Commission statement

The European Parliament and the Council have decided, at the Commission's proposal, to remove the visa obligation for those nationals of Albania and Bosnia and Herzegovina who are holders of biometric passports.

The Commission would stress in this context the great importance which it attaches to effective implementation of the measures taken by the countries of the Western Balkans to enduringly meet the benchmarks of the roadmaps for the visa liberalisation process.

To that end, the Commission is stepping up its efforts to establish a follow-up mechanism which will cover inter alia border management, document security, combating organised crime and corruption, effective implementation of readmission agreements and management of migration flows between the EU and the countries concerned.

That follow-up will form an integral part of the Commission's annual reports on the progress of reforms in those countries.

It will also be systematically broached in the relevant Stabilisation and Association Agreement Committees.

Moreover, this mechanism will have to be accompanied by the establishing of specific ways in which the European Union delegations, in collaboration with the authorities of the countries concerned, can keep their populations informed in order to forestall risks relating to abuse of asylum procedures.

Emergency consultation arrangements will be introduced so that the European Union and its Member States can, in cooperation with the authorities of the countries concerned, react in the best possible conditions to any specific difficulties which might arise with flows of persons from the countries of the Western Balkans.

In the event of one or more Member States being confronted by an emergency situation characterised by a sudden inflow of nationals of one or more third countries, including nationals of the Western Balkans, the Commission may propose that the Council adopt provisional measures for the benefit of the Member State(s) concerned in accordance with Article 78 of the Treaty on the Functioning of the European Union, and a rapid suspension of visa liberalisation.

The Commission will report back regularly to the Council and the European Parliament, starting six months after entry into force of the present Regulation and making use in particular of the results of work by experts from the Commission and the Member States, of the European Union delegations and of any relevant information of which the Member States are aware. In the emergency situation cited in the preceding paragraph, the Commission will inform the Council and the European Parliament by means of an ad hoc report.
