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*Committee on Civil Liberties, Justice and Home Affairs*

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**2010/0137(COD)**

12.7.2010

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## **DRAFT REPORT**

on the proposal for a regulation of the European Parliament and of the Council 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 (COM(2010)0256 – C7-0134/2010 – 2010/0137(COD))

Committee on Civil Liberties, Justice and Home Affairs

Rapporteur: Tanja Fajon

### ***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

### ***Amendments to a draft act***

In amendments by Parliament, amendments to draft acts are highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the draft act which may require correction when the final text is prepared – for instance, obvious errors or omissions in a language version. Suggested corrections of this kind are subject to the agreement of the departments concerned.

The heading for any amendment to an existing act that the draft act seeks to amend includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend. Passages in an existing act that Parliament wishes to amend, but that the draft act has left unchanged, are highlighted in **bold**. Any deletions that Parliament wishes to make in such passages are indicated thus: [...].

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council 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 (COM(2010)0256 – C7-0134/2010 – 2010/0137(COD))**

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2010)0256),
  - having regard to Article 294(2) and Article 77(2)(a) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0134/2010),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 55 of its Rules of Procedure,
  - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Foreign Affairs (A7-0000/2010),
1. Adopts its position at first reading, taking over the Commission proposal;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

## EXPLANATORY STATEMENT

The European Union is a strong supporter of the abolishment of the visa regime for all the countries of the Western Balkans. The process of reuniting people of our continent will not be finished as long as all the Europeans won't be able to freely travel to the European Union. The visa regime has isolated the citizens of Western Balkan countries for too long.

The abolition of visas for citizens of the Former Yugoslav Republic of Macedonia, Montenegro and Serbia in December 2009 was an important step towards their European integration and proved that the countries of the region are capable of delivering the necessary reforms. A visa-free regime has a great importance in people's lives as it strengthens people to people's contacts and brings about the realisation of the idea of free movement as one of the fundamental rights in Europe.

Every effort should now be made to deliver visa-free travel for Bosnia and Herzegovina and Albania as soon as possible. We should bear in mind that after the break up of Yugoslavia, after cruel wars brutally divided the region and left very deep wounds in peoples' minds and hearts and hundreds of thousands of refugees and migrants fled the region, we witness the growth of a young generation, which is cut off from the unifying and prosperous Union. Do we really want to keep the door shut to our close neighbours, to the countries which try their best to please us? We are not deciding about granting jobs or residential rights, we are deciding about the basic right of a future EU citizen to freely travel to the Union.

Bosnia and Herzegovina and Albania have made an important progress in the last few months after the European Commission last July decided they do not qualify for visa liberalisation. By prizing only some nations, there is always a risk to destabilise the region and cut the political and ethnical puzzles in even smaller pieces. Therefore, it is necessary not to lose too much time. Their governments worked hard in the last few months, so they could repair their own mistakes and delays and deliver the same quality as their neighbouring countries.

I do support the May proposal of the European Commission for amending the Regulation (EC) No 539/2001, which takes into consideration the progress made in the visa liberalisation dialogues with Albania and Bosnia and Herzegovina during the last few months and proposes to transfer the two countries from Annex I (the list of third countries whose nationals must be in possession of visas when crossing the external borders of Member States) to the Annex II (the list of those third countries whose nationals are exempt from that requirement). In my draft report, I do not see the need for any amendment as I wish the process in the European Parliament to continue smoothly and quickly.

We have to make sure that the European Parliament will, in view of the commitment by the Council and the Parliament in their Joint Statement in November 2009 “to examine a proposal for amending Regulation (EC) No 539/2001 concerning Albania and Bosnia and Herzegovina as a matter of urgency”, take all the necessary steps to deal with the Commission proposal as quickly as possible and strongly hope that the Council is also committed to the same objective.

An assurance that the European Union will deliver visa free-travel to both countries, especially to Bosnia and Herzegovina, in the very near future – by early Autumn 2010 – will lower the risk of even greater ethnic and political instability, strengthen political and

economic cooperation in the region and increase popular support for the EU and the prospect of European integration, widen people's horizons and stem the anti-European and extremist forces.

Kosovo remains a serious concern. It is the only part of the Western Balkans which is completely left out of the visa liberalisation process, not even a perspective of talks is envisaged. This is naturally caused by a division among the Member States towards recognising its independence. The political complexity of the problem is understandable but the people of Kosovo should not be left in a black hole created by those disagreements. I believe that the Parliament should put pressure on both the Commission and the Council to find a way to engage Kosovo in visa liberalization process as soon as possible. It will push forward necessary structural reforms.

The European Union has a political responsibility to carry out this process. It's paradoxical that more than 20 years after the fall of the Berlin wall, we still have “visa walls” in our direct neighbourhood. It's even greater paradox that people there could freely travel not even 20 years ago. If we want to unite our citizens in our continent, young people in particular need to be able to travel. They need to have the chance to visit their friends or family abroad and study. Visa liberalisation has an important psychological impact in the minds of people. And here we are not talking about politicians, businessmen or people with money. They have their ways to travel outside their countries. We are concerned about students, people who still today queue in the long lines in front of the consulates. All parties involved share the responsibility to finalise the visa liberalisation process for the Western Balkans as the direct impact it has on the quality of citizens' lives will help encourage state and government institutions and politicians in their efforts to pursue the necessary reforms on the road towards EU membership.