

ACCESS DENIED

By Berend Jansen

Access Denied

An analysis of the discourse constituting the Common Visa Policy of the Schengen Area

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Foreword

We live in turbulent times. I think we can all agree to that. Wars plague the world, we can see famine, and we can see plagues. Turbulence may very well be the worldly condition, maybe even the human condition. When we gaze back on history, everything that happened seems to be a logical, causal product of the factors present in those days. In his book “The Art of Thinking Clearly”, Rolf Dobelli describes this at hindsight bias. That when all is said and done, when the dust settles, we console ourselves with the analysis of what has happened and think that there was no other possible outcome. However, Dobelli sees this as a trap that prevents people from thinking clearly. To illustrate this, he looks back at the newspapers that were written just before and during the Second World War. Where we now see the annexation of Poland as the first sign that Nazi Germany was out to rule the world, in those days, this annexation was hardly felt as such.

And now we find ourselves in turbulent times again. Refugees storm the gates of Fortress Europe, with either good or bad intent. Maybe, a hundred years from now, people will look back and say: “This could have not gone any other way.” But today, the dust has not settled yet. In that sense, this thesis may be leaping too far into the future, for in this thesis, I will try to make sense of one of the phenomenon that I think is at the root of this current refugee crisis: the visa policy of the Schengen Area, also known as the Common Visa Policy. The intent of this thesis is not to gain insight in why these people become refugees, but why their flight must be of irregular nature, i.e. without a visa. Thus, attention will be paid to what reasoning lies behind the creation of this Common Visa Policy, which determines which third-country nationals are in need of a visa to cross the external European Border, and which countries are not. Waiting for the dust to settle might be an option, maybe even the more easy option. However, I feel I cannot wait for this to happen, for when the dust settles, much harm may have been done, and the future generation, my children or grandchildren, your

children, grandchildren or even grand-grandchildren, may ask of you and me: “Where were you when the storm raged, and what did you do to understand it?”. And thus, you may regard this thesis as an attempt to understand this storm.

Below you will notice a little blob resembling a human. This thesis is illustrated with comics to show how waiting before the paper border that is the Common Visa Policy may be experienced as someone who originates from one of the countries that are subjected to visa requirements. This blob will feature as the protagonist in this story.



Summary

At present time, the European Union (EU) is faced with what is described as a “refugee crisis”. This refugee crisis is characterized by masses of people storming the external border of the European Union, either to cross irregularly, get sent back, or perish in their attempts to enter the European territory. This ongoing crisis has resulted in increased measures to protect ourselves, by creating policies that legislate who is allowed in and who is not. The question remains however, how these policies are informed. This thesis will attempt to gain insight in the ideas that are the foundation of one of the fundamental bordering policies of the European Union: the Common Visa Policy (CVP) that determines the visa requirements for the Schengen Area. For if we gain insight in these ideas, we might give new incentives for looking critically at the way how migration is attempted to be managed, and society may improve. Additionally, there has not been done much research on the border that is visa policy, and even less research on the ideas that construct these policies. Thus, this thesis fulfils two purposes: firstly, providing a contribution to the debate on processes of bordering, ordering and othering, and the just border by examining an under lighted but crucial part of the bordering process (visa policy), and secondly, providing a basis for gaining more insight in what constructs visa policies by doing just that for the CVP.

Rather than conducted from a theoretical framework, this thesis is conducted from a phenomenological framework. That is to say, a phenomenon is witnessed, and from there on, the research takes shape. In recent years, the EU witnesses a large number of arriving refugees: in 2015, 1,015,078 people moved towards and across the external border of the European Union with 3,771 people going missing during their attempt to enter the European Union (UNHCR, 2016). According to United Against Racism (2015), in the period between 1993 and June 2015, 22,394 people found their deaths due to the bordering policies of the EU. Additionally, we see an increased polarization happening in the political climate with this refugee crisis: right wing populist

parties gain increased support, while left wing activism also seems to increase in response to this. The debate surrounding this refugee crisis is riddled with the term “illegal migrant”, a term which is controversial, for it is noted within the Universal Declaration of Human Rights that every human being has the right to leave their home country, and that every human being has the right to seek asylum in another country. Thus, preference is given over the term “irregular migrant”. Irregular migration, according to Baldwin-Edwards (2008), is migration that occurs outside of the legal-institutional framework established by states. Baldwin-Edwards (2008) recognizes four major forms of irregular migration: unauthorized entry, fraudulent entry (obtaining authorization by providing false information), visa overstaying, and violation of the terms and conditions of this visa. Thus, it appears that irregular migration is inherently tied with the existence of visa policy: unauthorized entry means that one crosses the border without proper authorization, i.e. a visa, fraudulent entry means that one acquires a visa by providing false information, etcetera.

The Henley & Partners Visa Restriction Index (Henley & Partners, 2015) shows us the power one’s passport has in terms of entering other countries without a visa. This shows us the restrictive nature and power of visas. However, when we cross this with the current refugee situation, our interest is peaked. The Top 3 contributors to the number of arrivals of migrants to Europe in the refugee crisis are Syria, Afghanistan and Iraq (UNHCR, 2016). These same three countries are also listed among the Top 10 Refugee-producing Countries (UNHCR, 2016). And when we look for these three countries in the Henley & Partners Visa Restriction Index, we see that these three countries are among the 5 countries most restricted in their movement by their passport in terms of visas. One cannot help but wonder why that is.

To gain insight in this matter, this thesis relies on a slightly different approach than the traditional ways of doing research (first a conceptual framework, then developing a methodology, then performing the analysis and interpreting the

results, etc.). First, it has been necessary to develop the framework from which this thesis was written. As this thesis is written from the perspective of the refugee crisis we are currently faced with, a phenomenological framework has been developed detailing the necessary information regarding the topic of CVP. This was done by using available data and linking these with theories on irregular migration. Secondly, it has been necessary to understand where the locus of the why is in this the formation of the CVP, and thus, the first step of this research was to conduct a theoretical analysis of the CVP from a border studies perspective. From the locus of the CVP, the most appropriate method to researching the why appeared to be discourse analysis.

Theoretical analysis showed that the CVP does in fact possess bordering qualities, in terms that it determines an “Us” and an “Other”, thus showing signs of “othering” (determining who is not you), a process made possible by the processes of “bordering” (determining which territory belongs to you), and “ordering” (applying an order to this territory). Furthermore, visa policies allow for control through legitimization of action, signification and domination, through the means of the institutionalized border. Van Houtum (2010) describes the why of the border as the result of two different mental desires, which can be translated to fears. The first is the paranoid desire, the will to order oneself, to be free of total chaotic freedom, to become non-existent. The second is the schizoid desire, the will to estrange one from his/herself, to be free of the border and its silencing walls, to not deny life. As described, these processes take place on an individual, mental level, and thus inform the why of one’s own border. As these are mental processes of individuals, they may become expressed through the paradigm or discourse of a person. The CVP is a product of negotiations between many persons, and thus the product of many discourses, which may be described as a group-discourse. Thus, to gain insight in these desires, the logical choice of methods appeared to be discourse analysis. Furthermore, as Van Houtum (2002) describes, the why of the border is crucial

in discussing the fairness and unfairness, or justice and injustice that emanates from this border.

However, in order to conduct discourse analysis, data needed to be gathered. This was done by starting at the website that described the basic features of the CVP and the basic documents that it is made of, namely Regulation (EC) No539/2001, the EU Visa Code, and a uniform visa sticker. From this basic information and these documents, the rest of the data collection was gathered through close reading and finding out which other regulations provide the basis for the main body of the CVP. For the sake of diligence, this second set of documents was given the same treatment, in order to gain insight in the majority of the foundation on which the CVP is built. To check if all the relevant documents were present, an interview was conducted with a member of the Dutch Ministry of Security and Justice. After this, several other documents were added to the data collection. This has resulted in a data collection of approximately 60 documents including treaties, regulations, amendments, agreements, and so on.

Jaipal-Jamani (2014) describes three possible forms of discourse analysis: semiotic discourse analysis, functional linguistics discourse analysis, and critical discourse analysis. Drawing from the works of Michael Halliday, Jaipal-Jamani (2014) describes the functional linguistics approach as a form of analysis used to focus at how language is constructed and used to convey everyday experiences. Through this functional linguistics approach, insight is gained in discrepancies in understanding on micro-level, as different discourses, for instance scientific and policy-related discourse, construct language differently for the same everyday experience. The semiotics approach to discourse analysis is – according to Jaipal-Jamani (2014) – influenced by the ideas of the philosophers Charles Pierce, Umberto Eco, Foucault et al.. This approach focuses on the meaning-making of language, where language is seen as a sign of its own. The underlying ideas are that meaning-making occurs triadic, in terms of the sign itself, the object the sign

refers to and what the sign can mean, and that cultural codes provide the rules through which meaning-making is structured, and thus determines the functioning of the sign. The semiotics approach, according to Jaipal-Jamani (2014), is therefore very suitable for deriving meaning from the symbols used in textual sources. Lastly, Jaipal-Jamani (2014) describes a critical theory approach to discourse analysis, which can be used to interpret text at a macro level. The critical theory approach attempts to illuminate the role that language plays in the maintenance and reproduction of political, economic, social and structural inequities and dominance of one actor over the other(s). This is done by sifting through the textual sources in order to find the types of power relations in the concerned group and how the discourse legitimizes dominant practices and ways of being through the concealing of these power relations and the perpetuation of inequity.

As this research focuses on the why, the story behind the CVP, semiotic discourse analysis seemed to be the most appropriate to conduct first, for it focuses on meaning-making in language. The next step was to conduct semiotic discourse analysis. What seemed to be black and white at first (exempted or subjected), quickly became a spectrum of many shades of grey, with distinctions made between an Area of Freedom, Security and Justice, the European Union, the Schengen Area, third countries which nationals do not need visas, third countries which nationals do need visas to enter the Schengen Area, and third country nationals that require visas to enter the Schengen Area and to travel through it to other destinations. The idea that seemed to underline this was that the nationals of these third states pose a threat to the public order, internal security and public health of the Schengen Member States, and thus, to protect its inhabitants, the CVP was designed to keep them out through making case-by-case assessments of countries using criteria linking *inter alia* to illegal migration, public policy and international relations, and in turn determining which third country nationals needed a visa to enter the Schengen Area and which third country nationals did not. However, while delving deeper, it also appeared that

the CVP was designed to keep out possible burdens for the Schengen Member States. Additionally, this singular purpose of protecting the inhabitants of the Schengen Area from external threats and burdens appeared to be no longer singular: the CVP appeared to serve many goals, from protection of the inhabitants of the Schengen Area, to improving international relations, managing and controlling migration flows and providing stimulus for economic growth. However, semiotic discourse analysis proved to be inconclusive in providing us with a concrete answer to the question of why some third country nationals did require visas and others did not, as well as remaining inconclusive on which purpose than was the primary purpose of CVP. This still had to be researched.

We then strayed from the path of discourse analysis, and relied on close reading. Close reading was practiced on several amendments to Regulation (EC) No539/2001, Visa Liberalization Action Plans (VLAPs) and the Cotonou Agreement, for it was stated that some countries were not eligible for Visa Liberalization Action Plans because they had not yet ratified the Cotonou Agreement. Through close reading, an attempt was made to formulate a list of criteria that would either exempt countries from visa requirements, or subject them to it. The found criteria for either category were then “mirrored” to provide the opposite criteria that would function for the other side of the list. Thus, we saw criteria for exemption of visa requirements that included a well-established, stable democracy, peace, democratic principles, high economic development, high social development, good public health, strong rule of law, etcetera. However, it appeared that close reading also failed to fully explain the reasoning behind the CVP, as demonstrated by the apparent visa liberalization of Turkey in December 2015, while their progress report showed that Turkey had only managed to fulfil 13 of the 72 requirements to become eligible for visa requirements. Thus, in a final attempt to understand the story behind the CVP, one last step was taken, to gain insight in which purpose was the primary purpose of the CVP.

For this purpose this thesis relied on critical discourse analysis. Critical discourse analysis, according to Jaipal-Jamani (2014) can be used to interpret text at a macro level. The critical theory approach attempts to illuminate the role that language plays in the maintenance and reproduction of political, economic, social and structural inequities and dominance of one actor over the other(s). As CVP does produce an inequality amongst stakeholders, critical discourse analysis seemed to be very useful in discovering the answer to the question of “why”. By sifting through the data collection, an attempt was made to find the types of power relations within the group that the CVP affects, and how the discourse legitimizes dominant practices and ways of being through the concealing of these power relations and the perpetuation of inequity. Critical discourse analysis showed us that the CVP affects people at a global scale: the distinction it makes includes every single country and territory in the world as well as its inhabitants, as well as setting out rules and regulations for individuals, institutions, local and national governmental entities and even for the Schengen and EU collective itself. It exercises considerable power over these stakeholders, yet over some more than others. This is demonstrated by the way the CVP has come into being, through negotiation and qualified voting between the European Commission and the European Parliament in which representatives of Member States take seat, as well as the many optional clauses that Member States can make use of for certain purposes such as humanitarian aid, diplomacy, or paid labour, and exceptions that are made for special cases such as Member States hosting the Olympic or Paralympic Games. The third countries, however, do not possess any power in the formation of the CVP, nor can they apply for certain optional clauses or exceptions. That is not to say that there aren’t any exceptions made for third countries, and this is where this research may finally find the conclusive answer to the question of why some countries are subjected to visa requirements and others are not. These exceptions mainly take form in what are called Visa Facilitation Agreements. These Visa Facilitation Agreements were designed to loosen up the legal framework of Regulation (EC) No539/2001. Peculiar phrases can be found within these agreements. For the Former Yugoslav

Republic of Macedonia (FYROM), it is stated that the EU recognizes the progress made by the FYROM in the area of justice, freedom and security, and in particular on migration, visa policy, border management and on document security. Remember that earlier a distinction was made between the Area of Freedom, Security and Justice (the EU) and third countries. Additionally, the Visa Facilitation Agreements often appear to hint at ongoing negotiations between the EU and third countries. The Visa Facilitation Agreement with Moldova refers to an existing Moldova-EU ENP Action Plan, which incorporates Moldova into the European Neighbourhood Project. It appears that the Visa Facilitation Agreements are supposed to improve the relationship between these countries, possibly improving the odds of success of other plans the EU has for these countries. But most interestingly, these agreements make frequent mentioning of the desire of the EU to facilitate people-to-people contacts as an important condition for the steady development of economic, humanitarian, cultural, scientific and other ties. Regulation (EC) No539/2001 imposes visa requirements on 135 countries and territories, yet, there are only 12 Visa Facilitation Agreements. With the expression of the desire to strengthen humanitarian, cultural, scientific, but above all, economic ties, and taking into account that there are only 12 Visa Facilitation Agreements, it appears that the EU extends this Visa Facilitation Agreements only to those countries of whom the EU thinks it can benefit. This assumption seems to be strengthened by the events of December 2015, in which it was promised that Turkey would be exempted from visa requirements as a trade-off for Turkey’s endeavours to keep refugees from reaching the EU. Thus it appeared that Visa Liberalisation was offered to Turkey as compensation for them to take care of the refugee crisis that the EU is facing. However, this was later retracted, for Turkey still had not fulfilled the 72 requirements set out in the Visa Liberalisation Road Map that was set out for them. This leads to the suspicion that CVP is often used as a soft power tool to persuade third countries to either adopt EU ideology, commitment to the EU, stimulus for the EU economic environment or

providing favours for the EU. Thus, it appears that if a third country wants to be exempted from visa requirements, they'd better bring something to the table.

In conclusion of this research, we saw a clear distinction between an “Us” and an “Other” expressed through the CVP, the “Us” being the Schengen and EU Member States, and the “Other” being every other third country, with some being more “Other” than others. Within CVP, there appears to be a fear of the “Other”, for analysis showed us that they are perceived as a threat or a burden. CVP attempts to block the assumed threats of the “Other” from entering through the imposition of visa requirements, which points to the presence of the Paranoid Fear. On the other hand, there also appears to be presence of the Schizoid Desire, expressed through Visa Facilitation Agreements and Visa Liberalisation Action Plans. These however, appear to be very marginal in comparison to the Paranoid Fear, and thus, it is concluded that within CVP, the Monad, the personification of the Paranoid Fear, reigns supreme.

However, this reign of the Monad does not come without complications. In conclusion, this research found four paradoxes. The first paradox found is called Confinement to Condemnation. Assuming that the criteria found in close reading are final, this research attempted a thought experiment. For this experiment, stories were gathered from former refugees to gain insight in why they fled their country. The reasons they listed for fleeing were often found on the list that was used to subject third countries to visa requirements. This paints a grim picture: those who are most likely to flee are deliberately subjected to visa requirements, while those who are less likely to flee enjoy visa free travel. Thus, the people most likely to flee are confined to the space they wish to flee, and are confined to condemnation. The second paradox found is called Law acting against Law. From our analysis we saw that the EU has a strong ethical code, with their own charter of fundamental rights and freedoms. Additionally, we saw that the EU strives to combat crime, racism and xenophobia. Yet, CVP exerts considerable fear of the “Other”, of the stranger, and thus it may be

viewed as an expression of xenophobia in itself. Even more so, Article 21 of the Charter of Fundamental Rights of the European Union states that any discrimination on the grounds of nationality is prohibited, yet, the CVP does exactly that. Continuing from this, Article 13 and Article 14 of the Universal Declaration state they everyone has the right to leave their country and to apply for asylum in another country. Yet, we saw in the first paradox that CVP confines people to the space they wish to flee. Not only then does CVP hinder people in their freedom to leave their country, it might very well deprive these people of exercising their right to safely apply for asylum in the country of their choosing. And thus, we see a law violating other laws. The third paradox found is called Democracy acting against democracy. The EU presents itself as the embodiment of democracy. Democracy allows people to have a say in the formation of policies that affects them, yet, CVP is imposed on third countries without them having a say in it. Thus it appears that through the adoption of CVP, the EU acts against the democracy they so highly value. The fourth and last paradox we saw, is called mixed-up priorities. As described before, we saw that the CVP appears to serve multiple purposes. Not only does it serve the purpose of protecting inhabitants of the Schengen Area, it also appears to attempt to stimulate the economy of the EU, improve international relations and exert soft power over third countries. Imposing visa requirements is used to protect the inhabitants of the Schengen Area while relaxing those requirements is used to improve the other goals. Thus it appears that these purposes are at odds with each other, and it appears that – on the basis of the critical discourse analysis – that the exertion of soft power and stimulus of economic development takes priority over protection. And thus this research paints a grim picture: the CVP might deprive people of universal human rights and European human rights, CVP either exaggerates the threat third country nationals pose for the sake of exercising soft power or deliberately endangers residents of the Schengen area for power and profit, and CVP appears to break with what is aimed to be the functioning of the EU.

For the sake of discussion, this thesis subjected our findings of the CVP to three different theories on spatial justice, as described by Simone (2004; 2014), Merry (2013; 2014) and Dikeç (2001; 2005; 2013). Each provides us with another definition of what spatial justice is, Simone (2004; 2014) focuses on injustice as the waste of potential, Merry (2013; 2014) advocates a form of voluntary separation as substitute for diversity, and Dikeç (2001; 2005; 2013) focuses on how space is made by institutions and how they perpetuate grievous situations. Simone (2004; 2014) describes the waste of potential in the sense that societies are built on infrastructures, some being tangible, like roads, and the electricity network, and others being intangible, like people themselves. Simone (2004; 2014) describes the potential of people as the ability to give different functions to different forms of infrastructure, and when this potential is blocked, spatial injustice can be seen. When looking at the CVP, from Simone's perspective, it appears that potential is not necessarily blocked. This can be seen in the different options for making exceptions, e.g. the possibility for EU Member States to waive the visa requirement for people who will engage in paid labour. However, it still excludes many people, and the question begs, if these people then do not have potential. According to Simone, every person has potential, and thus, we can say that the CVP wastes potential to some extent. But Simone also talks about the creative way in which people may use infrastructures to make more of it than just its primary function. When we look at the CVP as an infrastructure, we see a peculiar thing arising, in which people show their potential and make use of the existence of CVP to make more out of it. Earlier we discussed how irregular migration would not exist, or to a much lesser extent exist, without visa policies, and it is here that lies the newly found potential of people: the existence of CVP makes the existence of irregular migration possible, and some people have found potential in this by making the facilitation of irregular migration their trade. Merry (2013; 2014) describes a socially just alternative for diversity. In his words, he sees more potential for voluntary separation. That is to say that minorities are often faced with unequal chances and unequal access to public services when living next to majorities. Merry proposes a system where

minorities may voluntarily separate themselves from the majority, in order to gain equal access to public services and chances. There are however some demands that need to be met: first, they may not separate themselves from the state, secondly, the separation has to be for the best of both groups, and so on. When we look at the CVP, we see a form of voluntary separation. That is to say, the European Union separates itself from the rest of the world by introducing visa requirements. However, it appears that this is not beneficial for both groups. In fact, instead of chasing equality, it appears that CVP attempts to keep the inequality between nations as it is. Dikeç (2001; 2005; 2013) focuses on how what he calls Geographies of Grievances, i.e. spaces plagued with problems, are kept that way by policy making. The processes that underline this perpetuating of Geographies of Grievances are called politics turning into police and voices turning into noises. Politics, as Dikeç describes it, is the process of agenda setting and discussing how to tackle these problems. For this process you need voices, the tool that lets us discuss these problems in their structural nature and finding possible solutions. However, voices have the risk of turning into noises, simple outings of complaints rather than discussing the root of the problem. As this occurs, we see that politics no longer focuses on solving a problem by its roots, but rather attempts to fight the symptoms of the problem, and thus, politics becomes police: the force that maintains the order that is present, and hope for change is almost fully eradicated. When we look back at what we know, it appears that the CVP is also suffering from voices turning into noises and politics becoming police: we know that the top contributors of the refugee crisis come from the Top 10 Refugee-producing Countries, and that these countries are also the countries whose passport holders enjoy the least freedom of travelling to other countries without a visa. We also know that on the basis of the same criteria as that people flee, countries are subjected to visa requirements, and we rigorously try to fight irregular migration. And lastly, we know that irregular migration can hardly exist without the existence of visa policy. Thus, rather than fighting the problem which brings forth irregular migration (people desperately want to leave their country, by all means), we focus on the symptom that is

irregular migration, and so we built fences, and sent out vessels to intercept people who attempt to cross over to Europe without visas. Additionally, we discussed the paradox of Confinement to Condemnation, what appears to be strongly linked to the notion of Geographies of Grievances: by not discussing the root of the problem, the problem festers, and even more so, we confine these people to these Geographies of Grievances. Thus we see that voices have effectively turned into noises, which is shown by the continuous fight against the symptom that is irregular migration, and politics turning into police, which is shown by sending soldiers to stop these people and raising fences to keep them out, rather than taking action to make the lives of people better in these countries. And thus, it appears that the CVP creates spatial injustice, in more ways than one.

This then brings us to the recommendations that come from this research. For scientists, I would advise them to focus on the limitations of this research. CVP is only one of many visa policies, it could prove to be worthwhile to conduct similar researches regarding other visa policies to get a more complete picture of the discourse behind these policies, as well as conducting comparative studies between the CVP, and other visa policies from across the globe. Additionally, this research focuses on one of the more recently developed visa policies, but as we know, visa policies have existed for a very long time: perhaps, research with regard to older visa policies might provide us with an insight of why we have visa policies in the first place. Furthermore, the CVP only sets out rules for short stay visas, the rules for long stay visas are still determined by the EU Member States themselves. To get an even more complete picture, it might prove worthwhile to also subject these to discourse analysis. Adding to this is the fact that CVP is only one part of the external border policy of the EU/Schengen Area, researching other parts of this external border policy could fill in more gaps of the total story. And lastly, the CVP creates two walls: one by subjecting countries to visa requirements and the second is the visa application process itself. This second wall must be researched as well.

As for recommendation for policy makers, I have only one recommendation: end the CVP. This research has shown that the story behind the CVP is highly debatable, and thus, it might be wise to scrape it from the books. Should you not wish to murder your darlings, I would advise to dedicate CVP to one goal, namely the protection of the inhabitants of the Schengen Area, and either subject everyone to visa requirements and the additional screening, or no one, for the actions of an individual are not linked to their nationality, they are linked to the individual itself. From the perspective of the refugee crisis, I would advise to enable applications for asylum outside of the EU/Schengen territory, and instating visas that allow successful applicants to safely travel to the country in which they may enjoy asylum. That way, I believe the necessity of irregular migration is severely decreased.

And lastly, I think it would be wise to rethink the way we border. For it appears that the border is still designed as a castle wall, to keep out the barbarians. To keep out terrorists and diseases. Yet we are still faced with terrorism and disease.

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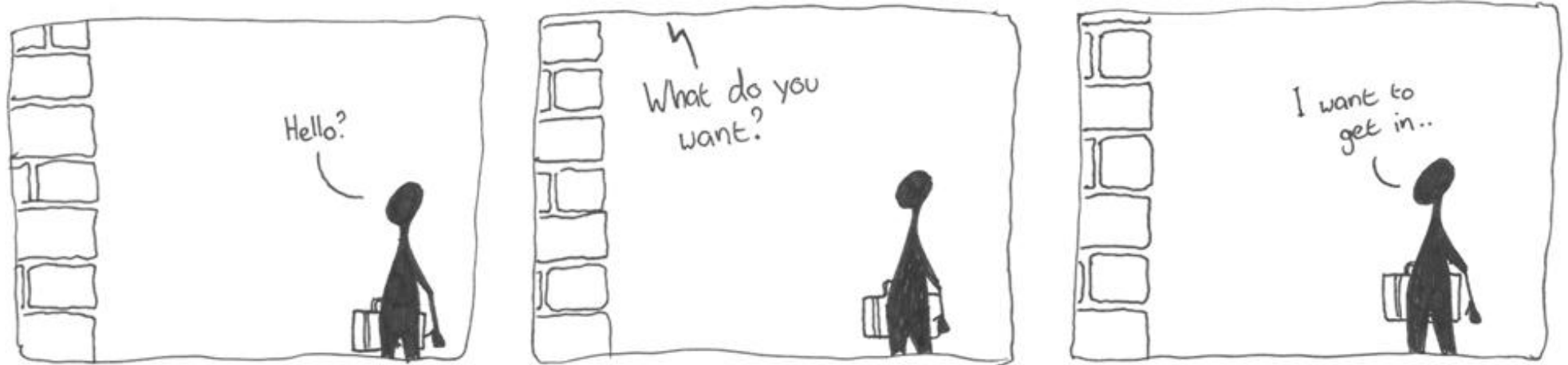
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Chapter 1 - Introduction



“... so we shall let the reader answer this question for himself: who is the happier man, he who has braved the storm of life and lived or he who has stayed securely on shore and merely existed?”

- Hunter S. Thompson, age 17

The above mentioned excerpt was written, as shown, by Hunter S. Thompson, at the age of 17, in a piece written for “The Spectator” titled “Security”. In this piece, Thompson delves deeper in the consideration every (young) person makes: the consideration between security and the risk of not experiencing everything life has to offer, or to take on the adventure that is life, with the risk of not being secure. The piece delivers a brutal verdict: choosing security means denying yourself the experience of life itself, and thus, you merely existed. Thompson leaves us with a rhetorical question; the happier man is obviously he who braved the storm of life and lived.

I agree with Thompson here, but it is key to recognize for which audience this excerpt was presented: The people of Louisville, 1955. People who had a choice between staying securely on shore, or brave the storm of life, to live or to die. However, there are people in this world who do not get this choice. People, who cannot stay *securely* on shore, for there is no secure shore. People who are stuck on a sinking atoll, forced to brave the storm of life, without proper gear, for staying put and remain where they are means waiting for Death’s Scythe to crash down indefinitely. I agree with Thompson, but at this point, I am more concerned with the latter mentioned people, than the former.

Hunter S. Thompson is one of the most revered writers in American literary history. He is labelled the father of Gonzo Journalism: a style of ‘reporting’, based on the idea of William Faulkner: that the best fiction is far more true than any kind of journalism. Thompson’s disdain for mainstream press has always been present in his works, and through Gonzo, he has driven home his stance marvellously, encouraging his readers to think critically.

Earlier I mentioned that I am more concerned with the people who are forced to brave the storm of life than with my own people, who have the option to. With them, I mean the many migrants that travel the world, often out of necessity, often in search of a better life elsewhere, because staying put would be a more dangerous choice than moving away. These migrants are often featured in our own Western media, often as victims of yet another overloaded boat sinking in the Mediterranean, or as a threat, to our Great Western Society. But I find myself challenged to think critically about what I see, in the line of Thompson. What do the media say, and why do they say it? What do they want me to think, and, do I want to think that? Is what is presented to me true?

The migrant “problem”, as it is often described by the media, has led to a large number of measures to protect ourselves from this foreign threat. We have bordered ourselves. We have created policies to legislate who is allowed in, and who is not. But how are these measures informed? To what do they owe their existence? And is the source of their existence founded in facts, or fallacious assumptions?

Thompson wrote to challenge the way people think. Through Gonzo Journalism, a mix of fiction and non-fiction, he provoked the critical mind in to reassessing what was going on. It is my intention to do just that: reassess what is going on. Thompson was a journalist, a columnist, a novelist. I myself am a scientist. This means that I am bound to use empirical data to reassess what’s going on, through interpretation, using my own critical mind, and forcing myself to stay objective, to also stay critical to my own mind. No Gonzo for me.

In this thesis, an attempt is made to gain insight in the ideas that are the foundation of the Common Visa Policy, the Visa Policy concerning granting or denial of entrance to the Schengen Area, an area often viewed synonymously with the EU. Although I would like to research the totality of measures taken to protect the EU from this migrant “problem”, due to time constraints I am not able to do so. It was therefore necessary to make

concessions. This has led me to research only a fraction of these protective measures, and one of the most taken for granted policies regarding the protection of “our own”, is the Common Visa Policy of the Schengen Area. Hence, this will be the subject of my research.

1.1 Social & Scientific Relevance

Since 1993, UNITED for Intercultural Action has been monitoring deaths that resulted from what they call the build of Fortress Europe, either resulting from trying to gain access or as a result from immigration policies (UNITED for Intercultural Action, n.d.) in their campaign called UNITED against Refugee Deaths. Since 1993, UNITED for Intercultural Action has documented 22.394 deaths resulting from building Fortress Europe (UNITED for Intercultural Action, 2015). What is striking about these deaths is that these often involve those who, in politicized jargon, are called “illegal migrants”.

Castles, de Haas & Miller (2014) notice that in the last couple of years, the number of arrivals of “illegal migrants” is attempted to be decreased by nation states. To reach this goal, they see an increase in border security measures, as well as sternness of requirements to be eligible for a visa. Ironically, they notice that the increased sternness of visa policy often forces more people to turn to what they call irregular forms of migration – a

synonym for what in political terms is dubbed “illegal” (Castles, de Haas, & Miller, 2014).

“Illegal migrants”, according to Baldwin-Edwards (2008) are people who either enter a territory without the necessary documents, people with unsuccessful asylum applications who elude authorities to avoid deportation, formerly legal residents who are unable to renew their permit, people who for technical reasons change their employment without authorization of the state, and people who violate the terms and conditions of their visa or permit, should they have managed to acquire one. However, “illegal” is just one term for this particular group of people, and not one without criticism. We come to this later on.

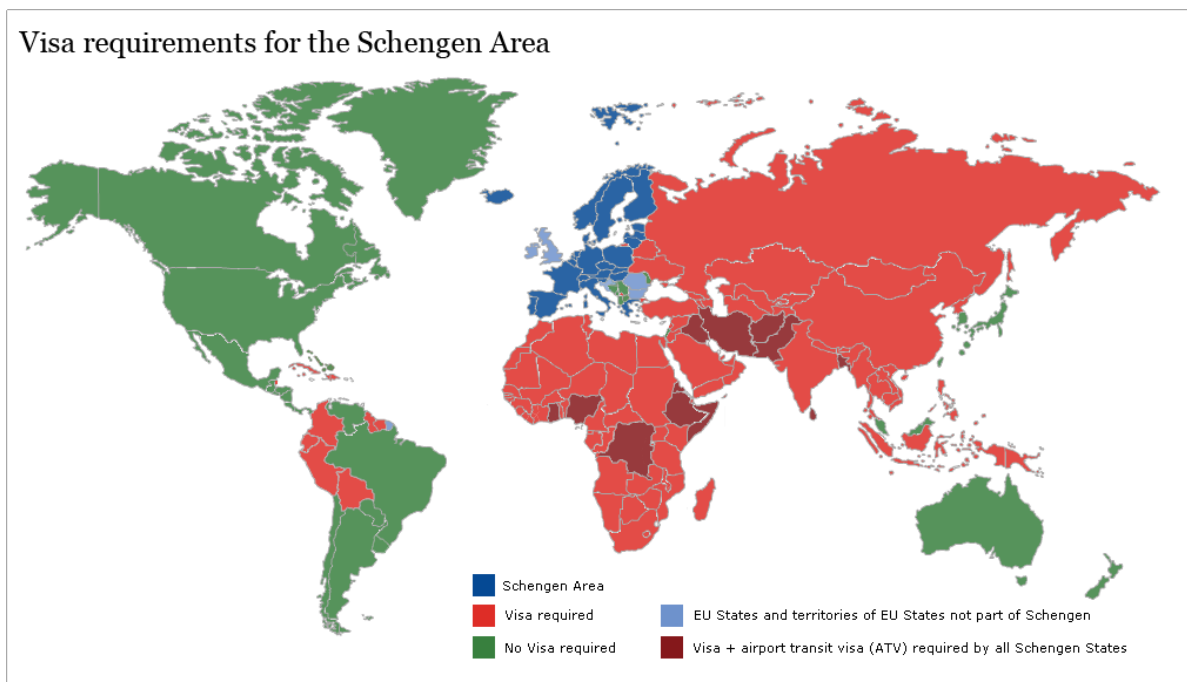


Figure 1 – Visual representation of global Visa requirements for the Schengen Area (European Commission, 2014).
Source: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm

But are these visas that hard to obtain? Apparently so. Are they that hard to obtain for everyone? No! Figure 1 shows that the Schengen Area apparently is picking favourites.

As the guidelines concerning selections based on race, gender, religion and other denominators are clear (they are not condoned), it is very interesting to know what the bases are for this division in requirements concerning visas. Especially considering that so many people are willing to endanger themselves with the risk of loss of life when they do not obtain these documents.

Through examining how the Common Visa Policy is constructed, new incentives might be given for critically looking at the way how migration is attempted to be managed, an issue I think deserves to be on the European, and even the Global political agenda.

Concerning scientific relevance, it can be noted that over the last years, the debate surrounding the phenomenon of the border has gained momentum. In 2002, Van Houtum & Van Naerssen already contributed to the debate by distinguishing that the border is not necessarily an object in space, but rather a process, and what this – often taken for granted – process entails: by bordering oneself through a demarcation in space, one lifts one distinction between people and at the same time imposes another, through inclusion and exclusion, and enables the application of an order. These processes are called bordering, othering and ordering. Thus, they raise the question about what underlines our daily bordering praxis (van Houtum & van Naerssen, *Bordering, Ordering and Othering*, 2002). Salter (2004) examined the bordering power of passports – he himself calls it the “International Passport Regime” – more closely, from an American perspective. In 2006, Salter adds to this by examining the power of what he calls “The Global Visa Regime”, but he does not examine how visa policy is not constructed (Salter, 2006). Adding to the discussion, it is Van Houtum (2010) that recognizes the bordering capacity of visa policy. However, the underlying discourses, the things that construct visa policy, are still not

examined more closely. Yet the visa policy is one of the more powerful institutions concerning border policy. The bordering power of the visa stems from it being required to enter a certain area, and that it – in contrast to a passport – is not issued by the sovereignty of the place of departure. It grants admission or denies it from outside of the area the destination area (van Houtum, 2010; Salter, 2004); at a considerable distance of the physical external border. Furthermore, Van Houtum (2010) makes an appeal to once again start to question to why of the border, in order to re-establish the debate surrounding the just border and border ethics.

The purpose of this thesis then, is to contribute to the geographical debate on processes of bordering, ordering and othering, and the just border by examining an under lighted, but crucial part of the bordering process – the institution of the visa – more closely.

1.2 Aims and questions

The aim of this research is therefore to contribute to the societal debate mentioned before, by contributing to the scientific discussion surrounding the border, more specifically, the paper border, being the documental ways of bordering. To do this, two ways are possible. The first is to examine how the Common Visa Policy in its current form affects the lives of migrants attempting to gain entry to the EU, and to what these effects are harmful to the migrants involved. In this case, the researcher would have to make a distinction between migrants who acquire visas and migrants who do not, and assess how the visa policy affects the quality of life of both groups. However, applying this way would mean a taking for granted of the Common Visa Policy as it is and there has already been research on the effects of bordering practices. Therefore, preference is given to the second way. The second way is to look more closely and to think critically about the way the Common Visa Policy is constructed, what the narrative, the discourse is behind this practice of including and excluding people by granting them this paper document, or not. In this way, it is

not the implications that are submitted to analysis, but the policy itself. In this research, an attempt is made to walk the latter road presented: to examine the story behind the Common Visa Policy. Because the Common Visa Policy is a Visa is a policy as well as a policy document, the empiric research presented in this thesis shall focus on an elaborate and extensive document analysis of the documents that make the Common Visa Policy as well as the documents that underline the Common Visa Policy or relate to it. This is done in an attempt to examine whether or not we can understand from the foundations of the Common Visa Policy why some third countries are subjected to visa requirements and others are not, to find the smoking gun, so to say.

Gaining insight in the story behind the Common Visa Policy will prove to be the main goal of this thesis. To achieve this, this research aims to gain insight in the discourse that helps to constitute the Common Visa Policy. This will provide the basis from which points of discussion can be derived. To do so, this research aims to find out what power the Common Visa Policy has and uses, and from where this comes. Furthermore, this research aims to discover what messages are communicated by the Common Visa Policy. And lastly, this research aims to construct a list of criteria used to either exempt third country nationals of the visa requirement, or submit them to it.

The questions that underline this research are derived from the goal and aims presented earlier. The main question that forms the basis of this research is therefore formulated as follows:

What does the Common Visa Policy communicate in terms of discourse?

As stated before, it is the Common Visa Policy itself that is to be critically examined, not necessarily its effects. To answer this question, an insight needs to be established in what constitutes the Common Visa Policy. What power does it exert over people, and where does this come from? What messages does it communicate, what world view is behind this policy. What makes that some

third country nationals do need visa, and some do not? These can be translated the following sub-questions:

What messages are communicated by the Common Visa Policy?

What are the criteria used to exempt third country nationals from visa requirement?

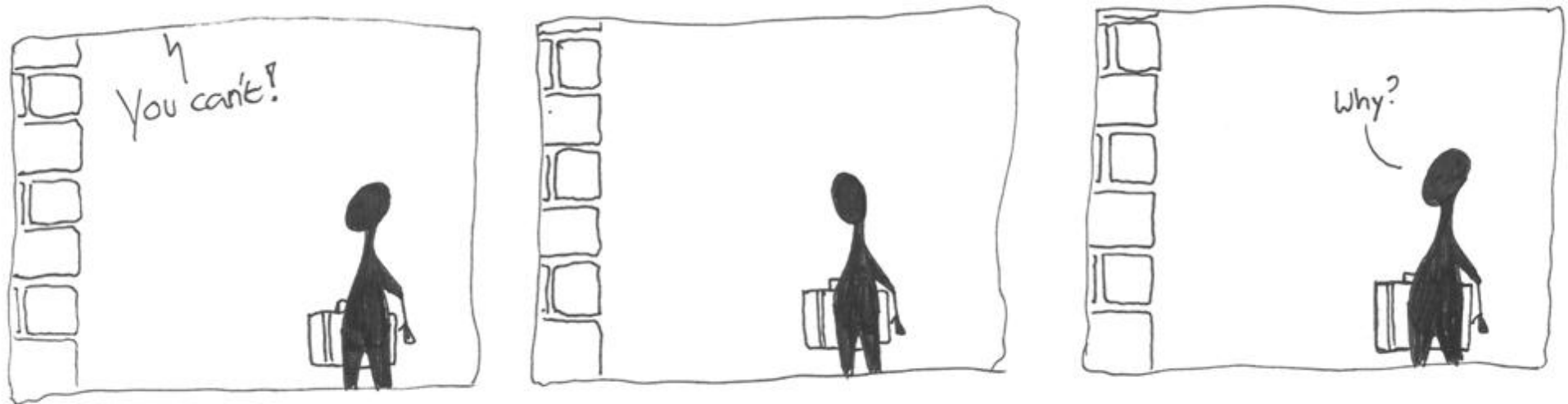
What criteria are used to subject third country nationals to the visa requirement?

What power does the Common Visa Policy exert?

1.3 Structure of this thesis

In this first part, an introduction has been given to this thesis, in terms of relevance, aims and questions that structure the research. In the following chapter (chapter 2), attention will be paid to the phenomenological framework, in which the phenomenon found will be discussed, and which shall serve as a framework for the remainder of this thesis. In chapter three, the methodology used in this thesis will be discussed, in terms of which methods used, which steps were taken, but also reflecting on the process and myself as a researcher. Chapter 4 will feature a conceptual analysis of CVP, that is to say, how could CVP be conceptualized using existing theories and concepts from border studies. In Chapter 5, I focus on the data collection, and what it has brought forth. Chapter 6 will then outline the results found while conducting Semiotic Discourse Analysis, while Chapter 7 will outline the results of Close Reading, producing one list of criteria that may be used to exempt nationalities from visa requirements, and one list that may be used to subject nationalities to visa requirements. Chapter 8 will dedicate itself to the findings of Critical Discourse Analysis. And lastly, Chapter 9 will present the conclusions to the questions mentioned before, and will provide a basis to start a discussion on the fairness and ethics of visa policy, the Common Visa Policy in particular.

Chapter 2 – Phenomenological framework



As this research is about understanding the story behind the CVP, a slightly less traditional approach is chosen. Where you would normally find a theoretical framework, the reader now finds the phenomenological framework, in which we pay attention to what we see happening in our world and how this relates to visas. In this section, attention will be paid to describing the framework from which this research is produced – the refugee crisis that the European Union is currently faced with – and how this relates to the phenomenon of visa policy.

To do so, we draw back a couple of years, to the year 2013, when 366 people died off the coast of Lampedusa. It was in response to this catastrophe, that the EU had decided to set up Eurosur, a surveillance system which had been developed to respond quickly to boats in distress (The Guardian, 2014). From that dreadful autumn in 2013, more and more reports followed of similar catastrophes, some with fewer casualties, and some catastrophes costing the lives of eight hundred, nine hundred or sometimes an estimated one thousand people. Europe was, at that point, at the verge of what soon was to be dubbed a refugee crisis, a term which became widely spread after April 2015, when five boats, estimated to be carrying 2000 people, sank in the Mediterranean Sea, the death toll adding up to approximately 1200 (BBC, 2016),

However, what at first only seemed to be people drowning in the Mediterranean Sea and other bodies of water adjacent to it, would soon show many other faces. In 2014, one thousand people stormed the border fences at the Spanish enclave of Melilla in North Africa (The Guardian, 2014). Reports of people suffocating in the backs of trucks in the Balkans started to show. All along the border of the EU, people were, and still are dying.

This last sentence is best illustrated by the UNHCR fact sheet on the European Migrant Crisis. In January 2016, already 54,518 people arrived by sea to the EU, most of them entering through Greece and Italy, embarking from the North African or Turkish coast. Already 236 people have found their death as sea. In

2015, a total number of arrivals of 1,015,078 people was seen. When we compare January 2016, to January 2015, we see a multiplication of more than ten times the numbers of refugees arriving by sea. In 2015, 3,771 people died or went missing while embarking on their journey to Europe. 84% of the arrivals come from the Top 10 Refugee-producing countries in the world, and of the total number of arrivals of people, 43.2% comes from Syria, 18.9% comes from Afghanistan, and 8.1% comes from Iraq. Of the people arriving, 57% is male, 17% is female and children comprise 27% of the number (UNHCR, 2016).

The current refugee crisis has sparked controversies throughout all of Europe, be it Hungary re-raising its borders to neighbouring countries, Germany doing away with the Dublin Convention, or Denmark, Switzerland (technically not EU, but part of Schengen) and again Germany taxing refugees for their entry. However, this refugee crisis is not limited to the autumn of 2013. United Against Racism (2015) has estimated that from 1993 to June 2015, 22,394 people have found death due to the bordering policies of the EU, 1227 of which drowned, 142 of which suffocated, and 339 committed suicide. Others died due to illness during their travels, were murdered, the list goes on.

Furthermore, the political climate in Europe seems to be polarizing due to this ongoing crisis. Left wing activists plead for opening borders and fair treatment, under slogans as “Refugees Welcome” or “No person is illegal”. Meanwhile, right wing activists plead for closing the border, under slogans as “First our own”. The popularity of right wing, anti-immigration political parties has skyrocketed, as demonstrated by the rise of the “Front National” in France, the “Partij voor de Vrijheid” in the Netherlands, the Danish People’s Party and the Fidesz party of Viktor Orbán, currently prime minister of Hungary. Additionally, the EU is searching in all direction to solve this so-called problem of illegal immigration, resorting to attempting to provide better shelter on the one hand, and attempting to close the borders, or curbing the number of arrivals of migrants on the other hand, by any means necessary. The latest of measures adopted to curb

this number of arrivals, is a controversial deal with Turkey that allows the Turkish people to travel to the Schengen Area without a visa (NOS, 2015). This, along with 3 billion Euros, was the compensation for curbing the arrival of refugees and providing shelter for the refugees that stay in Turkey. However, the deal appears to be from the table, for as the NOS (2016) reported on March 8, the prospectus for Turkey to become liberated from visa-requirements has become more fragile due to the decreasing compliance with European standards by the Turkish government, with some Dutch politicians calling the deal a blackmailing of the EU: Turkey demands certain services from the EU in return for keeping refugees at bay. Similar reports arrive from Voice of America (2016), which reports Turkey demanding that the EU meets its commitment to visa-free travel for the Turkish population as agreed by both parties at the end of 2015. Voice of America (2016) describes a retreat of the EU from the commitment based on Turkey not complying with the earlier set 72 criteria which would make them eligible for visa-free travel. On May 20, the NOS (2016) reported that the hope for Turkey to become liberated from visas has expired, due to the demands of the European Union for Turkey to comply with EU anti-terrorism legislation, and Turkey's unwillingness to do so.

One may have noticed that the political debate surrounding this topic is riddled with the term "illegal migrant". On the one hand, there are the right wing parties that stipulate that illegal migration must be curbed, while on the other hand, the left wing activists proclaim that no person on earth is illegal. One may wonder what that term actually means.

Baldwin-Edwards (2008) elaborates on this phenomenon. Illegal migration – also known as clandestine migration, undocumented migration or irregular migration – is in its most simplistic form defined by Baldwin-Edwards (2008) as migration occurring outside of the legal-institutional framework established by states. Referring to Papademetriou, Baldwin-Edwards (2008) identifies four different forms of irregular migration. These are: unauthorized entry, fraudulent entry,

meaning that one enters using false documents, visa overstaying, and violation of the terms and conditions of the visa. Although broad, Baldwin-Edwards (2008) acknowledges that even these four categories still do not manage to cover all the major aspects of irregular migration. By example he presents rejected asylum seekers, who are supposed to leave, but instead "disappear", formerly legal residents who do not manage to renew their residence permits, and people who are in technical violation of their visa, for example people who reside on a work visa for a certain branch, but instead perform labour in another.

But is it possible that migration is illegal? For this, we turn to one of the most cited documents with regard to rights and freedoms for human beings all over the world: the Universal Declaration of Human Rights. The Universal Declaration of Human Rights is considered to be a milestone document in the history of human right. Drafted by representatives of all kinds of legal and cultural backgrounds from all over the world, it sets out the fundamental human rights that are to be universally protected. It was proclaimed by the United Nations General Assembly in Paris on December 10th, 1948, thus making it the first document of its kind.

When browsing through the Universal Declaration of Human Rights, we can see a couple of articles that can be linked to the issue of "illegal" migration. These articles are Article 13 and Article 14, which state that everyone has the right to freedom of movement and residence within the borders of each state, and that everyone has the right to leave any country, including his own, and to return to his country (Article 13), as well as that everyone has the right to seek and enjoy in other countries asylum from persecution, providing that these prosecutions do not rise from genuinely non-political crimes or from acts contrary to the purposes of the United Nations (Article 14). Thus, we see that migration is a human right, and as migration is a human right, it cannot be illegal. And so, from this point on, we shall refrain from using the term "illegal", and only refer to this phenomenon as irregular migration.

Baldwin-Edwards (2008) states that the four major categories that were presented are insufficient to cover all the aspects of irregular migration, but notice what they have in common: each and every one of them has something to do with a visa. Unauthorized entry means that one has no authorization, i.e. no visa, to enter the space for which they need authorization. Fraudulent entry means that one has acquired permission to enter this space, i.e. a visa, but have acquired it by providing fraudulent information. Visa overstaying, needs very little explanation, one has acquired permission to stay for a certain period of time, but does not return after the duration of this period, the duration of the visa, has ended. And so forth, and so on. So, what is this visa?

The Oxford Dictionary defines the word “visa” as *an endorsement on a passport indicating that the holder is allowed to enter, leave, or stay for a specified period of time in a country*. Its origin comes from the Latin word “videre”, which means “to see”. The word “visa” came into being in the mid-19th century, as a shortening of the Latin phrase “charta visa”, which literal translation is “seen paper”. This adds to the definition of the word “visa”: not only is it a document that allows the holder to enter, leave, or stay in a country for a specified time, it is also evidence that the holder’s right to enter the country has been checked (Oxford Dictionaries, 2016). Thus, one can say that possession of a visa is lift on ones restriction to movement. However, that is only one side of the coin, for the opposite rings also true: not possessing a visa is restriction of one’s movement. Earlier we saw that the word visa finds its origin in the mid-19th century. However, institutional restriction of migration, i.e. the movement of people, can be traced back further. Baldwin-Edwards (2008) finds traces of migrational restriction in times as early as the 16th century, when Great-Britain – under rule of Queen Elizabeth I – adopted an act establishing the parish serfdom: an act that restricted the movement of people to specific regions within the country. Similar restrictions were seen in the German lands since 1548. However, these restrictions gradually adopted a more international character, that is to say, to restrict people from

outside the country to enter the country itself. While from the 18th century on the restrictions seemed to fade, as demonstrated by the revoking of restricting acts in Great-Britain and Germany, restrictions resurfaced in the 19th century. From 1870 on, countries in both North and South America started to restrict immigration once again. In 1905, Great-Britain installed restrictions on the entry of Jewish immigrants. This was followed by growing restrictions on immigrations throughout all of what we now know as Europe, with its culmination point during the First World War, when European governments introduced passports and the first visa requirements for border crossing for security reasons (Marrus, 1985). During the interwar period, authoritarian regimes like the USSR and Germany even imposed emigration restrictions (Baldwin-Edwards, 2008). The emigration restrictions imposed were then loosened up again after the 1945 post-war settlement and the emergence of human rights protection systems, yet did not completely disappear. The 1950’s and 1960’s were characterized by rebuilding what was destroyed and a mass shortage of workers. Thus, the immigration restrictions were loosened up, but did not fully disappear as well; with their instalment after the First World War, visas remained. The reason loosen up the immigration restrictions was to allow for the arrival of a new labour force, known to the Dutch as “gastarbeiders” and the Germans as “Gastarbeiter”, its literal translation being guest workers. However, the days of lifting restrictions were short, and with the oil crisis of 1973, restrictions were once again imposed, and attempts were made to repatriate the guest workers, without success (Baldwin-Edwards, 2008). However, on the European continent, visa requirements were gradually lifted throughout the European countries. An example of this is the so called “Benelux Union”, consisting of Belgium, the Netherlands, and Luxembourg, which collectively decided to open up their borders to one another in 1969, to allow for easier trade and travel (Jürgens, 2013). This would prove to be the model for future EU border relations, leading up to the Schengen

Agreement in 1985, which opened the borders between the Benelux Union, France, and Germany. From that point on, more and more countries joined the Schengen Agreement. The current Schengen Zone counts 27 member states. However, this restrictionless travel was only for Schengen member states. Migration restrictions were still imposed to other countries, all of these restrictions being imposed by the national governments of the different countries. This changed in 2001, when the EU developed a Common Visa Policy, a policy that would make the issuance of short stay visas uniform to the whole Schengen Area. However, decisions on imposing long term migration restrictions still lie in the hands of national governments. Thus, it seems that irregularity is inherently tied to this document that is called “visa”, and that visa policy has the potency to both restrict, and enable migration. However, it appears that its restricting powers are much stronger than its enabling powers. This is shown by the Henley & Partners Visa Restrictions Index (Henley & Partners, 2015). The Henley & Partners Visa Restrictions Index 2015 shows us the power that one’s nationality had in entering countries without a visa in 2015. That is to say, the lower a country is on the list, the more restricted it is by migration policies. In 2015, the nationalities least restricted in migration were Germany and the United Kingdom. Holders of these passports enjoyed

unrestricted, i.e. visa free, access to 173 different countries, excluding their own. The Schengen Countries themselves (if you count Vatican City as a Schengen Country), are all listed within the top 30 of the 109 places counting list (#29 being Vatican City). However, another curious insight can be derived from the Henley & Partners Visa Restrictions Index. But I will come back to that later on in this section.

Earlier in this chapter, we paid attention to describing the current refugee crisis in numbers. We saw that 84% of the current number of arrivals of refugees in Europe come from the Top 10 Refugee-producing countries (UNHCR, 2016). The Top 10 of Refugee-producing Countries can be found in Box 1 on the previous page. Now remember that the largest contributors to the number of arrivals of people to Europe are Syria, Afghanistan and Iraq. Looking at the Top 10, we can find these countries once more: Syria as the #1 Refugee-producing Country, Afghanistan as the #2 Refugee-producing Country, and Iraq being the #8 on the list. Thus we see that the largest contributors to this European Refugee Crisis are part of the Top 10 Refugee-producing Countries.

Now back to the Henley & Partners Visa Restrictions Index. Flip this index upside down, and you get what I would like to call the Migrational Powerless Index, a listing of countries whose nationalities suffer the most under the possession of their passports, in the sense that their passports restrict them severely in their

Box 1: A Top 10 and a Top 5

Top 10 Refugee-producing countries according to UNHCR (2015)

1. Syria
2. Afghanistan
3. Somalia
4. Sudan
5. South Sudan
6. Democratic Republic of Congo
7. Myanmar
8. Iraq
9. Colombia
10. Central African Republic

Top 5 Countries most restricted in international mobility according to Henley & Partners (2015)

- | | |
|-----------------|---------------------------|
| 1. Afghanistan: | Visa free to 25 countries |
| 2. Iraq: | Visa free to 29 countries |
| 3. Somalia: | Visa free to 30 countries |
| 4. Pakistan: | Visa free to 31 countries |
| 5. Syria: | Visa free to 33 countries |

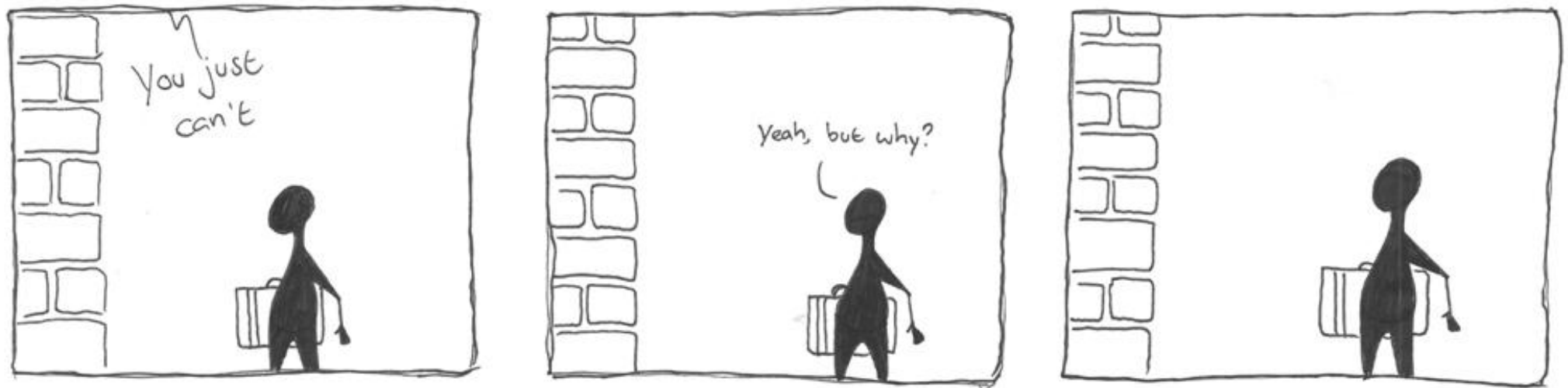
mobility due to the imposition of visa requirements on their nationality, done by other countries. Flipping this index, and thus creating the earlier mentioned Migrational Powerless Index, provides us with a Top 5 of countries whose citizens are most restricted in international mobility due to global visa imposition. This Top 5 can also be found in Box 1, on the previous page, including the number of countries they have access to without visa requirements.

Now, if we compare the Top 5 Countries most restricted in international mobility due to global visa imposition with the Top 10 Refugee-producing countries in the world we see a peculiar thing: four out of five of these Top 5 countries are featured in this Top 10. This means that the citizens of (at least) four of the Top 10 Countries sourcing refugees are also the people that are the most severely confined to their country. Even worse, we can see that the largest contributors to the number of people coming to Europe during the European refugee crisis (Syria, Afghanistan and Iraq) are featured on both lists. Thus we

see that the largest part of the people undertaking the dangerous journey to Europe come from the countries sourcing the most refugees, and that these countries are deliberately severely confined to their own country through imposition of visas.

The *raison d'être* of this research lies in the last sentence of the previous paragraph. The question that remains now, is “why?” If we know that the majority of the number of people coming to Europe come from these countries, and if we know that those countries are among the countries that source the most refugees in the world, then why does the EU insist on confining them to their country through visa imposition, leaving them with only the irregular route to take? And thus, bearing this in mind, this research is dedicated to finding the reasons for this, the story behind this, the discourse, if you will, behind the visa policy of Schengen, the Common Visa Policy. How this is attempted will be discussed in the next chapter.

Chapter 3 – Methodology



In this chapter, an insight will be given in the methodology used to dig into the story behind the common visa policy, including a reflection on the overall process.

3.1 Methodology

In order to research the discourse behind the Common Visa Policy (CVP), an intensive research design is chosen. An intensive research design, as Clifford, French & Valentine (2010) put it, emphasizes on describing a single or small number of cases with maximum amount of detail. The main reason for this stems from the necessity to gain in-depth insight in what constitutes the CVP, or in other words, to establish a most detailed insight in what constitutes the CVP. Through intensive research, the causes of what makes the CVP are elucidated, by means of in-depth examination and interpretation.

To gain insight in what constitutes the CVP, this research shall focus on documents describing the practices of the CVP, the description of the CVP provided by the EU, and the reports of the meetings and negotiations that underline the formation of the CVP in its current form. Furthermore, semi-structured interviews will be used to gain additional insights where needed. From these documents and interviews it is attempted to derive the story behind the CVP, the framework, the paradigm, or in other words, the discourse that determines how the CVP has been shaped.

As this is fairly uncharted territory for the field of border studies, the methodology of this research may come across as a little less traditional. One could say that this methodology is constituted through “snowballing”. This is to say that the methodology of this research has not been a beaten track, on the contrary: the second step did not exist before the first, and the following step was not always the step that was intended to be taken. This has led this research to consist of seven different steps. I have chosen to first the seven steps actually used in this research, for I believe that it would make it easier to reproduce this

research. In the reflection part I will come back to where these seven steps did not necessarily matched the intended steps.

Step 1: Developing a phenomenological framework

For every research it is necessary to develop a framework from which the research is conducted. Usually, this is a theoretic framework, in which an attempt is made to display the state of the art of that particular subject, in order to show the gaps in the knowledge that need to be filled, as well as to develop a conceptual framework and model. This research has taken a slightly different approach, in the sense that this research is written from the perspective of a certain phenomenon: the refugee crisis.

The development of the phenomenological framework serves to connect the CVP to the refugee crisis that the EU currently is faced with. In order to develop this framework, a background was sketched drawing from several newspaper articles, as well as data provided by the UNHCR (2015; 2016). Thus, an insight is given in the numbers of people coming to the European mainland, and their composition in terms of gender, age, country of origin, and how many people have died in their attempt, but also in the political environment in which the refugee crisis takes place, in terms of sympathies, political developments, etcetera.

From this background, it became apparent that many of these people appear to be migrating irregularly. In order to become more familiar with what irregular migration actually is, a literature study was conducted in order to develop a theoretical understanding of this phenomenon. This involved the careful examination of scientific texts explaining the concept of irregular migration.

From here, it became apparent that irregular migration is tied to the existence of visas. The logical next step was then to examine the phenomenon that is visa, and to gain a theoretical understanding of what this is. In order to do so, a definition and etymology was drawn from the Oxford Dictionary. Additionally,

this research draws from scientific articles detailing the history and workings of a visa, to gain a theoretical understanding of the phenomenon that is visa.

Lastly, in order to complete the cycle and to firmly link the phenomenon of the refugee crisis to the existence of visas, the development of the phenomenological framework involved a close look at the Henley & Partner's Visa Restriction Index (2015), to gain an understanding in which nationality's international mobility is the least limited by global visa imposition, and which nationality's international mobility is the most limited by global visa imposition. This gave rise to a peculiar relationship, in which it seemed that the countries that are most likely to produce refugees were also the countries whose nationals are the most limited in their international mobility through global imposition of visa requirements. Applying this to Europe, this gave rise to the underlying question of this research: why does the EU impose visa requirements on the countries that are most likely to produce refugees?

Step 2: Conceptual Analysis

In order to answer the question raised in the phenomenological framework, and to determine which approach was best suited for discovering the “why”, it was necessary to develop a firmer, theoretical grasp of the concept “visa”. In order to do so, a conceptual analysis was conducted. As it was expected that visas function as a border, the conceptual analysis was started with a thorough examination of scientific literature on border studies. By reading different authors discussing the concept of the border, a theoretical understanding was developed of this concept. This understanding included the different forms in which the border presents itself to us, the implications of this border, how and why this border is either changed or reproduced, but also in the ethical discussions that surround this concept.

Applying these insights regarding the concept of the border, the conceptual analysis continued by discussing the various bordering characteristics of the CVP, in order to find the locus of the “why” of the border. By doing so, a conceptual

framework was developed specifically applicable to the CVP, from which this could further be developed. The conceptual analysis showed that the “why” of the CVP may very well lie in the interaction of discourses possessed by policy makers. Discourse, in this sense, functions as a set of ideas or a paradigm, that inform practices in daily life, or, in this case, the development of the CVP. Thus, the logical method to answer the question of “why” seemed to be discourse analysis, as it is expected that if we gain insight in the discourse, we know why the CVP is as it is, or in other words: the story behind it.

Jaipal-Jamani (2014) states that there are several ways of doing discourse analysis, and elaborates on three different approaches: a functional linguistics approach, a semiotics approach, and a critical theory approach.

Drawing from the works of Michael Halliday, Jaipal-Jamani (2014) describes the functional linguistics approach as a form of analysis used to focus at how language is constructed and used to convey everyday experiences. Through this functional linguistics approach, insight is gained in discrepancies in understanding on micro-level, as different discourses, for instance scientific and policy-related discourse, construct language differently for the same everyday experience.

The semiotics approach to discourse analysis is – according to Jaipal-Jamani (2014) – influenced by the ideas of the philosophers Charles Pierce, Umberto Eco and Foucault et al. This approach focuses on the meaning-making of language, where language is seen as a sign of its own. The underlying ideas are that meaning-making occurs triadic, in terms of the sign itself, the object the sign refers to and what the sign can mean, and that cultural codes provide the rules through which meaning-making is structured, and thus determines the functioning of the sign. The semiotics approach, according to Jaipal-Jamani (2014), is therefore very suitable for deriving meaning from the symbols used in textual sources. Lastly, Jaipal-Jamani (2014) describes a critical theory approach to discourse analysis, which can be used to interpret text at a macro level.

The critical theory approach attempts to illuminate the role that language plays in the maintenance and reproduction of political, economic, social and structural inequities and dominance of one actor over the other(s). This is done by sifting through the textual sources in order to find the types of power relations in the concerned group and how the discourse legitimizes dominant practices and ways of being through the concealing of these power relations and the perpetuation of inequity.

As it was determined by the conceptual analysis that the “why” of the CVP may lie in the interaction of discourses possessed by policy makers, and that discourse is a set of ideas or paradigm that informs the development of the CVP, the semiotics approach to discourse analysis was chosen as the preferred method. As this research tries to gain an insight in the story behind the CVP, it was expected that the semiotics approach would yield the best results, for through the semiotics approach, according to Jaipal-Jamani (2014) we can derive meaning from textual and symbolic sources, and thus gain a glimpse at how the EU views the world and how this informs the development of the CVP. But before this semiotics approach to discourse analysis (from here on: semiotic discourse analysis) could be executed, a crucial next step was needed.

Step 3: Data collection

This third and crucial step is the collection of data, for any form of analysis needs to be applied to a data collection. The focus of this data collection was put on gathering the policy documents that make up the CVP, and from there on finding out the policies that form the foundation of the CVP. This was done because the CVP is not only a policy, but also a policy document itself, and thus, it was expected that the policy documents that form the foundation of the CVP communicate messages that may explain why the CVP subjects some third countries to visa requirements and exempts others. This idea seems to be supported by Ogborn (2010), who recognizes that a wide variety of textual sources provide us with insights in social or economic history. He calls these

textual sources historical sources. As the CVP has been constituted a few years back, the documents that will be analysed can be classified as historical and/or archival data. That these documents may provide an insight in social or economic history, gives rise to an even stronger expectation that within these documents the story may be found that explains why the CVP is as it is. Thus, the main focus lies on official data, a form of documentary sources described by Black (2010). This form of documentary source, documentary source being in essence the written word, comprises those records that are produced by and for the political body.

In analysing historical and archival sources, such as policy documents, Black (2010) recognizes that a choice needs to be made between source-orientated research and problem-orientated research. Source-oriented research is characterized by the very detailed examination of one source, while problem-oriented research is characterized by first formulating a research question before one engages with the archives and historical sources. In this research, the latter is chosen for the collection of data as there is a clear goal that is being worked towards: gaining insight in the larger body of policies from which the CVP originates. However, this source-oriented research is repeated two times for the sake of diligence. This is to say that data analysis is practiced by sifting through the policy documents that are part of the main body of the CVP in order to find the underlining policy documents, and that for these documents the step is repeated, in order to gain a firm grasp of the foundation of policies on which the CVP is built.

In practice this means that data collection involved a lot of archive work; in order to find all the necessary documents, it was required to sift diligently through the available archives. Data collection was started at the official website of the European Commission, detailing the basic information regarding the CVP, including the policy documents that make up for the main body of the CVP. From there on, these policy documents were carefully read to find out which

amendments, regulations and legislations formed the basis on which the main body of the CVP was built. This provided us with a first set of documents that needed to be retrieved in order to be added to the data collection.

To retrieve these documents, the EU databank “EUR-LEX” was used. “EUR-LEX” is the online archive hosting all EU legislations and regulations. Using “EUR-LEX”, these documents were gathered one by one, not only downloading the regulation itself, but when deemed relevant also the proposal and the explanatory memorandum relating to the amendment, regulation or legislation in question.

With the first set of policy documents secured, these policy documents were also read closely, to find out once more which amendments, regulations and legislations formed the basis of this new set of documents. With this second set of documents a similar procedure was taken: once more “EUR-LEX” was used to gather all the policy documents listed in the second set, and when deemed relevant also the proposal and the explanatory memorandum relating to the amendment, regulation or legislation in question. Additionally, in the first set of policy documents references were made to non-EU regulations and legislations. These in turn have been looked up outside of the “EUR-LEX” online archive.

To make sure all the relevant data was collected, an interview was scheduled with an official of the Dutch Ministry of Security and Justice, as it is this ministry that expresses the Dutch interests in developing the CVP. This interview concluded that the data collection was fairly solid, with the suggestion of also taking into consideration the Visa Liberalisation Action Plans, plans that were not mentioned by the earlier found documents. These Visa Liberalisation Action Plans were then retrieved and added to the data collection. Additionally, the interview resulted in the acquisition of very recent documents detailing a proposal for a future amendment of the CVP, these were also added to the data collection. The data collection resulted in the acquisition of more than 50 documents.

Step 4: Semiotic Discourse Analysis

With the data collection secured, the fourth step could be initiated: analysing the data collection. Earlier in the process, it was established that semiotic discourse analysis was the logical form of analysis to practice. That discourse analysis in itself is indeed the ideal choice to analyse the origin of the phenomenon, became once more emphasized through the works of Jaipal-Jamani (2014), who states that a very good tool for deriving meaning from textual sources is discourse analysis. Textual sources, in Jaipal-Jamani’s definition, can vary from written and verbal language, as well as graphs, images, pictures and other artefacts (Jaipal-Jamani, 2014), and the main body of data in this research consists of written policy documents and explanatory memorandums. Thus, it appears that discourse analysis lends itself very well for the purpose of this research, and as this researched aimed to discover the story behind the CVP, semiotic discourse analysis appeared to be the most promising way to achieve this goal. The reason for this being that semiotic discourse analysis focuses on how textual sources are used to convey meaning, or in other words, how textual sources convey a story.

Jaipal-Jamani (2014) provides three guiding questions for each of the three different approaches that she discusses, with the purpose of guiding the researcher through his or her analysis. In the case of semiotic discourse analysis, the following three questions were presented:

1. How does the discourse relate to the social or cultural practices of a social group? What is/are the purposes of the discourse, explicit or implicit?
2. Does the text represent or advocate a message?
3. What social language is enacted in the text? Whose interests are represented in the discourse?

However, these questions were still quite broad, or not very specific. Therefore, it was deemed necessary to rethink and rephrase these questions. The considerations regarding rephrasing the questions can be found below.

To answer the first question, first a pattern must be derived from the texts. This has partially been done by the last question of Critical Discourse Analysis. Using Semiotic Discourse Analysis, meaning will be sought in the phrases that are found. The core of this question lies in the mentioning of purpose. Thus, the question is rephrased as: “What purposes, explicit or implicit, can be derived from the text?”

The second question appears to be rather straight forward. As we already have derived some meaning from the texts, the message behind it shall be attempted to be unravelled. Thus, it shall remain as it is: “Does the text represent or advocate a message?”

The third question’s crux lies especially in the second part of it, namely, whose interests are represented. The question is rephrased as follows: “Whose interests are represented in the text?”

With these questions rephrased to more comprehensible, somewhat narrower questions, a basis was established for further conducting the analysis. To do so, the whole body of data was uploaded in the analysis programme “Atlas.ti”, for this programme allows you to select specific parts of text and add a label (code) to it, with the additional option of generating an output of all the selected pieces of text tagged with one specific code, making it easier to summarize the findings for the purpose of writing this thesis. The codes that were used in this step of the research were based on the rephrased guiding questions, to generate bodies of text that answer every question separately.

In order to code the different texts, every single unit of analysis (i.e. every separate document retrieved in the data collection part) was carefully read while

bearing only one question in mind, for the sake of not getting distracted by another question, coding the parts of the text that might provide an answer to the one question in mind with the appropriate code. In other words, the semiotic discourse analysis consisted of three steps. Firstly, every single unit of analysis was coded for the first question (What purposes, explicit or implicit, can be derived from the text?). Secondly, every single unit of analysis was coded for the second question (Does the text represent or advocate a message?). And thirdly, every single unit of analysis was coded for the third question (Whose interest are represented in the text?).

After carefully coding the whole data collection, the outputs of relevant parts of text were generated and closely read, to gain an understanding of the answers to the different questions. These possible answers to the different questions were then carefully mirrored to each other, to gain a glimpse of how the textual sources portrayed the way the EU sees itself, the world, and the CVP. This “worldview” was then written down, in order to become part of this thesis. However, research was far from over, because even though semiotic discourse analysis provided us with a useful insight in how the EU views the world, this made the whole concept of CVP and the division it makes only more vague, rather than concrete. Thus, an additional step was needed.

Step 5: Close reading

As semiotic discourse analysis did not prove to be conclusive, in contrary to the expectations, a new form of analysis was attempted, on the basis of the findings of semiotic discourse analysis. This new form of analysis consisted of close reading. The reason for this was that during semiotic discourse analysis evidence was found of criteria that were used to either exempt or subject third countries to visa requirements. Through close reading, an attempt was made to gain insight in these criteria. In this sense, close reading means simply reading a text very carefully, and noting down the parts that express either criteria that might exempt countries from visa requirements, or subject them to it.

For this part of the analysis, a decision was made to only take a small sample from the total data collection. For this part of the analysis, focus was put on the amendments made to Regulation (EC) No539/2001, the document that lists which third countries are exempted from visa requirement and which are not, and their respective explanatory memorandums, the Visa Liberalization Action Plans and additional Visa Liberalization Road Maps, and the Cotonou Agreement. This last document was taken into consideration on the premises that one of the amendments mentioned that not complying with the Cotonou Agreement would take visa liberalization completely out of the question. The reason for taking only a small sample of the total data collection stems from time constraints. Furthermore, it was expected that these documents would provide the most insight in the criteria used to either exempt or subject third countries to visa requirements, for they all relate to changing the existing division between third countries exempted from visa requirements and third countries subjected to visa requirements.

Once more the programme “Atlas.ti” was used for the purpose of analyzing these documents. This time, the codes used were “criteria exempting” and “criteria subjecting”. With these codes, two different outputs could be delivered: one containing the phrases that indicate one or more criteria that may exempt third countries from visa requirements, the other containing phrases indicating one or more criteria that may be used to subject third countries to visa requirements. The approach chosen for this form of analysis was similar to that of semiotic discourse analysis. Firstly, every unit of analysis was carefully read, with relevant phrases being coded for the criteria that may exempt third countries from visa requirements, and secondly, every unit of analysis was carefully read, with relevant phrases being coded for the criteria that may subject third countries to visa requirements. The reason for coding these text separately was once more to prevent distractions.

After coding, “Atlas.ti” was used to generate two outputs of text, one detailing the phrases referring to criteria that may be used to exempt third countries from visa requirements, and the other detailing phrases that refer to criteria that may be used to subject third countries to visa requirements. These criteria were then summarized and inserted in a table, the left column detailing the criteria used to exempt third countries from visa requirements, and the right detailing the criteria used to subject third countries to visa requirements. As a last step, the criteria were then mirrored to each other to formulate a more complete list of criteria that may be used to either exempt or subject third countries from or to visa requirements. For example, if the analysis regarding visa exemption showed that a criteria might be something like “Strong rule of law”, yet when analyzing the criteria for subjection there is no mention of rule of law, in the table this criteria used for exemption is then mirrored to the column listing criteria for subjection as “Weak rule of law”, to provide a more complete list. This provided an elaborate, yet non-exhaustive list of criteria that are of influence on the decision to either exempt a third country from visa requirements, or to subject a third country to visa requirements. However, as this is a very timely and fluid subject, the environment of CVP is prone to change, and these changes may severely affect the progress of research. Should the environment have remained stable, this could possibly have been the final step in the research. However, in December the EU declared that Turkey – a country who was still in the process of reaching the benchmarks of their Visa Liberalization Action Plan – was to be exempted from their visa requirements as part of a deal regarding the refugee crisis (a decision that by now has been more or less revoked, the details of which you can find in the phenomenological framework and in other parts of the thesis). Adding to this was the fact that Visa Liberalization Action Plans do not guarantee visa liberalization, but only make countries more eligible for visa liberalization; for a third country to be liberated from its visa requirements, the proposal for visa liberalization needs to be backed by the European Parliament, through vote and by qualified majority. Even though insight in these criteria may be very useful, it appears that – just like the results of semiotic discourse analysis

– the results of close reading were inconclusive in fully explaining the story behind the CVP, or in other words, in answering the question of why it is as it is. Thus, a final attempt was made to gain an understanding of the story behind CVP.

Step 6: Critical Discourse Analysis

The final attempt to gain an understanding of why the CVP is as it is, involved the application of the critical theory approach to discourse analysis (from here on: critical discourse analysis). Critical discourse analysis is used to illuminate the role that language plays in the maintenance and reproduction of political, economic, social and structural inequities and dominance of one actor over the other(s) (Jaipal-Jamani, 2014). This is attempted through analyzing the textual sources in order to find the types of power relations in the concerned group and how the discourse legitimizes dominant practices and ways of being through the concealing of these power relations and the perpetuation of inequity. As the CVP makes a distinction between third countries that are exempted from visa requirements and third countries that are subjected to visa requirements, one might say that the CVP creates inequalities, maybe even inequity. Thus, it was expected that critical discourse analysis could be a useful approach in discovering why the CVP is as it is.

As discussed in the section on semiotic discourse analysis, Jaipal-Jamani (2014) provides three questions that can be used to structure the three different forms of discourse analysis that she discusses. The questions that are provided to structure discourse analysis are:

1. How is the text situated within the broader society?
2. What messages does the text communicate in terms of institutional and social conventions?

3. What are the dominant ways of talking, doing, and being, and how does this perpetuate inequalities and power hierarchies?

Similarly to semiotic discourse analysis, these questions are once more quite broad or not very specific. Thus, like with semiotic discourse analysis, these questions were rethought, and rephrased where deemed necessary. The considerations regarding rephrasing these questions can be found below.

Regarding the first question, it is necessary to interpret the meaning of it. As Critical Discourse Analysis focuses on power relations and inequalities, this question should be answered in terms of who has provided the text, what power does this text have, and whom is influenced by it. The question, however, shall remain the same.

Regarding the second question, the key term in this question is “conventions”. Conventions refer to certain ways of doing, a rule, method, or practice established by usage. However, many of the documents taken for analysis are legal texts, which make – in some sense – institutional conventions in themselves. Thus, the second question is rephrased as: “Which social and institutional conventions are present in the text?”

Regarding the third question, a light is shed upon apparent dominant ways of talking, doing and being, and more specifically, how they perpetuate inequalities and hierarchies. Much related to institutional and social conventions, this question focuses on repetitive use of language. However, it is much more concrete as it focuses on the usage of words (as it concerns texts), and how these phrases perpetuate inequalities and hierarchies. Thus, the question will be rephrased as: “How are inequalities and power relations perpetuated?”

With the structuring questions rephrased, once more a basis was established from which analysis could be conducted. Whereas close reading relied on only a fraction of the full data collection, critical discourse analysis was conducted in a

similar fashion as semiotic discourse analysis, for the sake of diligence. Having the complete data collection already uploaded in “Atlas.ti”, codes were generated for the different structuring questions. Then, as it was done with semiotic discourse analysis, every single unit of analysis was carefully read, and coded while bearing only one question in mind, again in order to eliminate any distractions from the other questions.

Having coded every single unit of analysis for every question mentioned above, the outputs of selected text were generated per question. In turn, these outputs were then carefully read to gain an understanding of how CVP expresses maintenance and reproduction of political, economic, social and/or structural inequities and dominance of one actor over the other. This understanding was then summarized in order for it to be included in this thesis. With critical discourse analysis, a more clear understanding was developed of how the CVP is developed, and how power and interests come into play in developing CVP.

Step 7: Formulating a conclusion

With the results of the different analyses available, the last step of the research could be conducted, which was formulating a conclusion. The first step in formulating the conclusion was to compare the results of the semiotic discourse analysis, close reading analysis, and critical discourse analysis with the conceptual analysis. This was done to develop an understanding of how the empirical evidence linked with the theoretical concepts that were developed, and to see if the theoretical concepts were still applicable.

Next, it was necessary to determine the limitations of this research. This involved looking critically at how the research was conducted and what materials were used, as well as thinking critically about how CVP relates to other measures taken by the EU to secure the external border and other visa policies. This was done through an attempt at thorough introspection, as well as discussing the methods and results with fellow scholars, university staff and

experts in the field. The limitations of this research were then included in the thesis itself.

Furthermore, semiotic discourse analysis, close reading analysis and discourse analysis yielded results that could be described as peculiar. These peculiar results presented themselves in the form of communicated messages and practices that seemed to contradict each other, while both being true. Thus, these contradictions were summarized and presented in the form of four different paradoxes. While the underlying argumentation for most paradoxes could be drawn from either material available through the research or additional theoretic insights, for one of these paradoxes, additional empiric data was needed to test this paradox. The phenomenological framework gave rise to the suspicion that countries that would produce refugees were deliberately subjected to visa requirements. During the close reading analysis, the suspicion rose that the criteria used to subject third countries to visa requirements were similar to conditions that make people decide to flee their country. However, this was still only an assumption.

To test this assumption, an appeal was made to the ASKV/Steunpunt Vluchtelingen. The ASKV/Steunpunt Vluchtelingen is an organization based in Amsterdam, which seeks to provide support for undocumented people living in the region of Amsterdam. Their clientele consists mostly of refugees. Having established bonds with the ASKV/Steunpunt Vluchtelingen, an internship was initiated, with possibilities to gather stories from refugees on why they fled their country. These stories were summarized and then cross-referenced with the table listing the criteria that may exempt or subject third countries to visa requirements, yielding a confirmation of the previously mentioned suspicion that the criteria used to subject third countries to visa requirements are also conditions that make people decide to flee their country.

Additionally, as the conceptual analysis showed that there is also an ethical discussion surrounding borders, an attempt was made to discuss the ethical

dimension of CVP from the perspective of spatial justice. This was done through the application of three different theories on spatial justice to the practicalities of the CVP. The theories in question are Wasted Potential (Simone, 2004; 2014), Voluntary Separation (Merry, 2013; 2014) and Voices to Noises, Politics to Policing (Dikeç, 2001; 2005; 2013). To do so, a firm understanding was needed of said spatial justice theories. This was acquired by reading the relevant scientific articles that discussed these theories as well as visiting lectures given by the mentioned authors to gain a firm grasp on what they view as spatial justice. The knowledge that was gained from studying the articles, and attending these lectures was then summarized, and included in this thesis. From there on, these theories on spatial justice were then applied to the knowledge that was gained from the different analyses that were conducted earlier, to discuss the ethical implications of the CVP.

Lastly, an attempt was made at formulating recommendations. This has done from two different perspectives: recommendations for future research, and recommendations for policy makers. The recommendations for future research were mostly based on the limitations of this thesis, suggesting how to tackle these limitation by doing additional research, or suggesting topics for future research. The recommendations for policy makers were mostly based on the paradoxes presented in the conclusion of the research, as well as the discussion on the spatial justice of the CVP, with the intent of improving the CVP in its fairness and making the CVP less ambiguous, with special attention on improving it from the perspective of the refugee crisis.

3.2 Reflection

Reflection is a key aspect of research, in the sense that a good reflection can alter the light in which results can be interpreted. The following section shall contain a reflection on the overall process and the role and positionality of the researcher.

Reflection upon process

As stated before, the above describes the methodology that has been used, for as stated, methods were developed through “snowballing”, meaning that the second step flowed from the first step. However, there are some clarifications to be made, for how the research was conducted in the end, was not necessarily always the way it was intended. I shall reflect on the different parts of the research one by one, giving a description of where the actual methodology differs from the intended methodology, and explaining why these two are different.

For the development of the phenomenological framework, I hardly experienced any trouble in developing a first draft. However, as stated before, the CVP is a very timely and fluid subject, and thus, as time passed by, situations changed. These situations had to be taken into account for the research to remain timely itself, which led to a number of revisions, especially with regard to the events surrounding the possible visa liberalization of Turkey, of which the details can be found in the phenomenological framework as well as in other parts. This timeliness and fluidity of the subject has also affected other parts of the research, but these will be discussed later on.

In conducting the conceptual framework there were hardly any challenges encountered, and everything has been done as intended.

Although it might seem out of place this early in the reflection, the internship has to be discussed at this point. This is because the intended internship was at a different company, and for a different purpose. The intention was to take on an internship with access to EU institutions, be it a governmental institution or an NGO. There were several reasons for this. The first reason for this, was the certainty that should I not be able to access the documents needed from elsewhere, I might have a change at gaining access to the physical archives of the EU, to find the documents that I would need. The second reason was that should I not gain access to these physical archives, I could execute a Plan B, consisting of conducting semi-structured interviews with policy makers in an attempt to find

out why the CVP is as it is. However, it turned out to be quite hard to find an internship at such an institution, and this proved to be a challenge that could not be overcome in the time frame that was set out. Instead, an internship was acquired at the ASKV/Steunpunt Vluchtelingen in Amsterdam, the Netherlands, an internship that proved to be an experience just as or even more valuable than any other internship could have been. However, not being able to find the intended internship did not pose any obstacles for conducting my research, as the next section will demonstrate, and additionally, with this thesis being written from the framework of the refugee crisis, the internship at ASKV/Steunpunt Vluchtelingen proved to be very useful for this research. As an intern at the ASKV/Steunpunt Vluchtelingen, I was tasked with forms of social work. This put me in close proximity with their clientele, consisting of undocumented people residing in the region of Amsterdam, most of them being refugees. This gave me an up close look at what it means to be undocumented, and how much it affects your daily life. It also gave me an opportunity to gain insights in what it means to flee your country. However, not being trained in the skills of social work, the internship increasingly put more pressure on me, and I was forced to prematurely end the internship after four months.

In collecting the data I have experienced hardly any obstacles, for the EU provides the text of every legislation and regulations in multiple languages through their online archive “EUR-LEX”. However, the body of data relevant for the thesis was significantly larger than expected. A choice had to be made in including all the relevant documents in the data collection, with the consequence of having to invest more time, or including a selection of relevant documents, with the consequence of risking diligence. Preference was given to the former, for the fact that this research is written from the perspective of the refugee crisis, and this being a timely topic, increases its sensitivity, and thus, diligence is not to be sacrificed. This meant that gathering the relevant data took longer than expected, but provided me with an abundance of analysis sources that could be used for the research. This rendered the previously mentioned intended

internship with access to EU institutions unnecessary, as well as the execution of the before mentioned Plan B.

In conducting semiotic discourse analysis, the obstacles that were encountered were mostly due to the vast amount of analysis sources that were gathered. Applying semiotic discourse analysis to these sources proved to be a very time consuming process, especially while coding the relevant parts of text for the three questions. Thus, some concessions needed to be made, in order to finish this thesis within the set time frame. However, as discussed earlier, diligence was favoured over all, meaning that it was attempted to make concessions as little as possible. Thus, the only concessions that were made were in coding the third question, regarding whose interests were represented. This question has been selectively coded, providing multiple examples that show whose interests are represented, but not every part of text that points to the expression of interests. This has been done due to the fact that the previous questions, although not specifically designed to find out whose interests are represented, do give a very clear insight in whose interest are represented through the text. It was therefore deemed an unnecessary use of time to code this question to the extent that others have been coded. Furthermore, as described above, the semiotic discourse analysis did not yield the expected results, and even though it did provide us with useful insights, it did not provide us with a clear answer on why some third countries were subjected to visa requirements and others were not. Thus, additional research was required.

With regard to close reading, it has to be noted that it was not expected that this method was necessary. But, as described in the section above, semiotic discourse analysis did not yield the expected results. While conducting close reading, hardly any obstacles were encountered, and due to the relatively small data collection for this part of the research, close reading took a relatively small amount of time to complete. Yet, close reading – similarly to semiotic discourse

analysis – proved to be useful, yet inconclusive. And thus, one final step of analysis was needed.

Which brought us to critical discourse analysis. Within discourse analysis, similar obstacles were encountered as within semiotic discourse analysis. Switching back to the full collection of data meant that doing the analysis was again going to be time consuming, especially during the coding part of the process. Once more, concessions had to be made. However, as with semiotic discourse analysis, diligence was favoured over all. Attempting to make concessions as little as possible, the only concessions that were made were in coding the second question of critical discourse analysis, regarding institutional and social conventions. As the data collection consists mainly of legal texts which prescribe ways of doing and when to do so, coding this to its full extent would entail coding almost the entirety of the data collection. Thus, a couple of examples were coded, similarly as with the third question of semiotic discourse analysis.

Futhermore, the previously discussed obstacles of a large body of data, favouring diligence over speed, the necessity of conducting additional different analyses, as well as the timeliness and fluidity of the subject, have had its impact on the duration of the research. That is to say, that the combination of these obstacles made it so that the research took quite some time more to be completed than initially was expected. However, I believe that this has only improved the quality of the research that has been presented here, and thus, the time that has been consumed by this research is regarded as a valuable sacrifice.

Additionally, the large data collection and the diligent work of coding presented another challenge, in this case regarding the final product. While generating the outputs of text parts per code used through “Atlas.ti”, the appendix that was supposed to feature all the outputs of text parts provided to be over 500 pages long. Thus, you will find that the final product comes in two different versions: the hard-copy version of this thesis will feature a disc with on it the relevant

appendix in PDF format, while the digital version will support the appendix in full.

In writing the conclusion the main challenged came from combining the results of the three different forms of analysis. As stated before, although critical discourse analysis provided a possible conclusive answer to the story behind the CVP, all three forms of analysis provided us with very useful insights. Apart from that, writing the conclusion went rather smoothly, with the only obstacle encountered being occasional “writer’s block”.

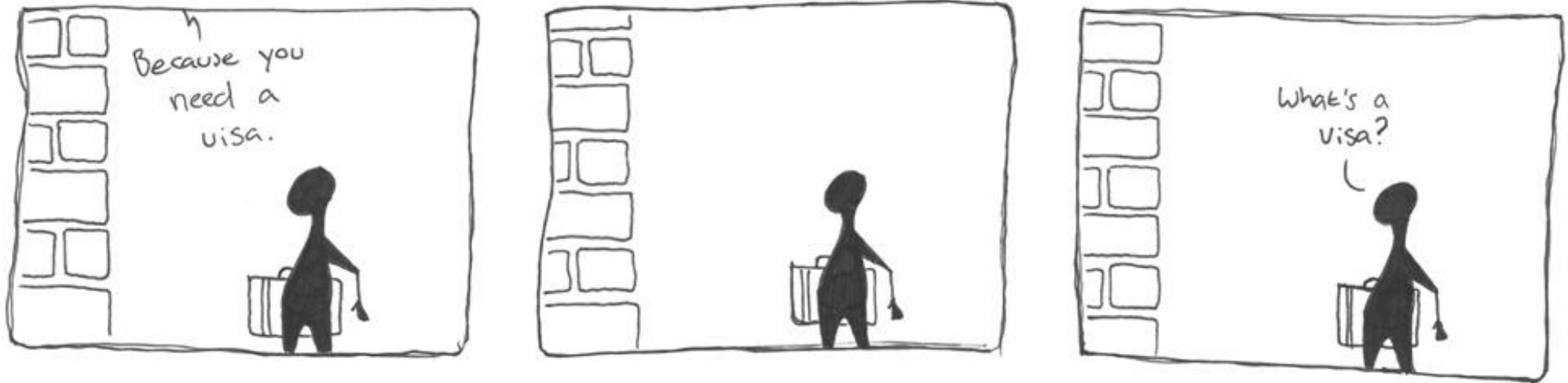
Reflection upon oneself

In this section, attention will be paid to the role that I have fulfilled as a researcher, and the way I as a person have functioned in conducting this research.

It has to be noted that, given the sensitivity of the subject, I can imagine that it would be very easy to become biased, and thus jeopardizing the objectivity of the research. I have attempted to remain unbiased, and believe I have succeeded in doing so. Especially my internship has functioned as an anchor to keep my feet on solid ground, in preventing me from drifting off into imaginative clouds.

Seeing up close and personal who the people are that the CVP affects, was – to say at least – eye opening. It has burst the bubble of the image I had of this group, to some extent, but also reaffirmed it. It has been a reminder that people are not to be generalized, which is a very valuable realization in order to stay objective. As a researcher, I believe I have managed to remain objective, and find my integrity to be intact. I stand by my research.

Chapter 4 – Conceptual Analysis



In this section some light is shed upon the “state of the art” of the research regarding borders and more specifically visa policies, as well as introducing some of the other concepts that are used to elaborate on the analysis of the Common Visa Policy.

As Newman (2006) describes it, in the past years, the field of border studies has experienced a renaissance: where in the 1950s until the 1970s there was not much attention for the phenomenon of the border, in present times it is noticed that the border and its formation has seen an increase in interest. This is partly due to the rise of interest in the phenomenon of globalization, the relatively shrinking of the world through advance in technology and other factors. As Newman (2006) describes, the globalization discourse is often associated with a lean to a borderless world, an association often made by economists and information scientists. Yet, Newman (2006) challenges this view, as he notices that with the rise of globalization – and the borderless world discourse – a renewed attention has been developed for the border and its construction. This attention is found in many disciplines, like political sciences, sociology, anthropology, international law, and of course, human geography. The border, for all these disciplines, according to Newman (2006), determines the nature of group belonging, affiliation and membership, and the way processes of inclusion and exclusion are institutionalized, sometimes territorially.

In earlier works, much emphasis was put on how the border is constructed. A distinction was made between studies of the boundary and studies of the border. The former, the study of the boundary, focussed on the demarcation made in physical space, while the latter concerned itself with how the border was constructed through social processes (Van Houtum, 2005). Breaking the chain of thought, Van Houtum & Van Naerssen (2002) approached the border not as only a demarcation in space, but as a dynamic process, a constant consideration of who is considered “we” and who is considered “them” that starts with the demarcation of one’s territory and who belongs to one’s group. Thus, the

border lifts distinctions between people through inclusion, and yet imposes distinctions between people through exclusion. The latter, the process of creating distinctions between people, became known as “othering”. Newman (2006) sees the same dynamics in the formation of the border, and states that the demarcation between us and them is usually determined by political or social élites as part of societal ordering and compartmentalization, often based on belonging to a social or economic group, religious and sometimes even political affiliation. Here it is shown that within the territory, a certain order is imposed, giving meaning to a space, and developing life. It is this phenomenon that is dubbed “ordering” (Van Houtum & Van Naerssen, 2002). The line between “ordering” and “bordering” is very thin and often done hand in hand, and therefore it is often represented in literature as “(b)ordering” or “b/ordering”. Newman (2006) states that the same élites mentioned before also determine the extent of openness of these borders and the ease of which they can be crossed. In that sense, the border is not only a process, but also an institution. Through the institutionalization of the border, legitimization, signification and domination are enabled, which in turn create a system of order that facilitates the exercise of control (Newman, 2006). When one applies this view to the border, one can imagine that the visa policy in itself is a border, both in the institutional sense and the dynamic sense of the process. One only has to look at the map provided in figure 1 to catch a first glimpse at the processes of “othering” and “b/ordering” that lie at the foot of the visa policy.

As it is shown that the visa policy can be viewed as a border, the eye once more turns to Van Houtum’s (2005) piece on the geopolitics of borders and boundaries. Van Houtum (2005) recognizes that the field has increasingly neglected to discuss the nature of the border. He regrets this for two reasons: the first being the tremendous focus on how the border is constructed in terms of symbols, signs, identifications and representations and the lesser focus on the why of the border. Why are there borders in the first place? Why do we see borders as a given? Questioning the nature of the border, as Van Houtum (2005)

states, could help us unlearn the vision of the border as fixed, linear and stable and help us see it as a dynamic process that can be gained insight to through the deconstructed “Self”, through evaluating it in terms of “Othering”. The second reason why he regrets the neglect of studying the nature of the border, is that the tremendous focus on how it is constructed does not facilitate the debate surrounding good and bad borders. It is the debate surrounding the nature of the border that gives us the opportunity to discuss the ethics and justice of these borders. Van Houtum (2005) raises questions. Are borders justified and if so, to what extent is it morally just to protect ourselves, and thereby deny the liberty of access to others? Is it justified to make a moral difference between citizens and strangers? It are these questions that boggle the mind and to answer these questions, we must first gain insight in the why of the border.

Van Houtum (2010) delves further in the why of the border, by using Kafka’s “Before the Law”. Van Houtum (2010) argues that the why of the border is found in one’s self, characterised by a desire to belong, to achieve the better identity, which lies behind the border. However, in order to cross that border, one needs to comply with the demands set by the order behind the border, and thus, one shall wait at the border until he is deemed compliant enough to enter. And so one trains himself and disciplines himself in the act of waiting at the border, an act which in turn becomes internalized and will never fully fade away. The quest for the better identity is always about crossing the border, through paradoxically waiting at the border and never really crossing at all, and thus one is suspended in the limbo of waiting. And so, spaces of waiting are created, and these can be found in the empirical sphere in phenomenon like detention camps and asylum. However, these are the people who try to gain access. Van Houtum (2010) also describes the other side of the border, the people who try to keep people out. These try to keep their space, their territory, pure, or in a sense true. And so they formulate rules and regulations and traits that one needs to possess in order to gain entrance. And thus, a reciprocity is created: the one trying to gain access waits to be let in, and the one keeping out waits until the

demands are met. The border becomes an internalized concept, and so, one orders and borders, b/orders him or herself. Van Houtum (2010) adds to this the notion of the desire to escape the vested order imposed by the border, the will of the individual to not conform, to act above oneself, and beyond. As Van Houtum (2010) describes, the desire for transcendence of the border can also be found in Kafka, but instead of transcending the border, one chooses to wait and fall into the vested order, contrary to the liberation of oneself that is needed to transcend the border. Through this waiting, he denies himself life, by sacrificing it to the act of waiting. The will to transcend the border and enter new territories, to be free of this b/order, is called the schizoid desire, to be free of the silencing walls, the repressive social mask, to not deny life. The will to remain is called the paranoid desire, the will to order oneself, and to be free of the fears of chaotic total freedom, to become non-existent. Van Houtum (2010) states that neither of the two desires shall be ever fulfilled, as they are both present in the individual, and are both each other’s contrary. To gain fulfilment of the one, means to lose fulfilment of the other, and thus one is also suspended in the limbo between the paranoid and the schizoid desire.

Van Houtum (2010) abstractly described the why of the border, in the sense that the two conflicting desires that constitute the why of the border can be illustrated in a broad range of different practices. Paranoid and Schizoid Desire can present themselves in many different ways. Van Houtum (2010) describes the personification of the Schizoid Desire as the Nomad, while the personification of the paranoid desire is described as the Monad. Doing so, he creates the possibility to shed a light on the dark side of desire: fear. For, as Van Houtum (2010) describes, these desires are in their sense also fears: the paranoid desire for order and belonging, to be free of fears for total chaotic freedom, is in turn a fear of the Nomad, the personification of the schizoid desire, that wants to transcend the border. The schizoid desire that wants to transcend the border, and estrange one’s self, in turn, is a fear of the Monad and its order, and its fight against total, although chaotic, freedom.

However, the why of the border is not necessarily enough to discuss the ethics and justice of the border. Newman (2006) states that the process of bordering, rather than the border outcomes *per se*, should be of interest to all border scholars. Although I agree with Newman (2006) to the extent that the process of bordering should be of interest to all border scholars, I do not agree with the implied devaluation of the results, the outcomes of the border. These outcomes are, I think, as essential as knowing the why of the border when it comes to discussing the ethics and justice of the border, to avoid either a one-sided “goal-justifies-the-means” perspective or a one-sided view that does not consider the consequences, as long as the procedure has been followed, a “means-justify-the-outcome” perspective. As Van Houtum (2010) has put it:

“So, before the gate will finally be shut for us then, the question constantly begs our attention what we are waiting for all our lives. At what price for ourselves and others. And whether in the end that justifies the waiting.”

Regarding the question of what price we and others pay for the wait, the answer is never fully given and varies from time to time. The question of what is fair to ask for the waiting, from ourselves and others, is in similar ways discussed. The discussion on the just border is a discussion that has not yet gained a lot of attention, but I believe it to be an important discussion nonetheless, and with me others. To illustrate some of the discussion, I shall draw from the works of Joseph Carens – who is mentioned frequently – and his critics. Already in 1987, a plea was made for the opening of our borders. Carens (1987), drawing from the ideas of Nozick and Rawls, as well as utilitarianism, argues that the closing of borders is not just. Drawing from Nozick, Carens (1987) states that yes, people have the right to protect their property, but this only accounts for private property, as Nozick describes it. Nozick does not refer to collective property, thus, bordering of a state is not among the rights of a state. Drawing from Rawls, Carens (1987) has several points of critique on the issue of bordering. First,

Carens (1987) states that one’s birthplace or parentage should not be basis to justify the bordering, as these are related to natural contingencies that should be arbitrary to from a moral point of view. Secondly, justifying restrictions on the grounds that immigration would reduce economic well-being of current citizens would be unjustifiable, as it is limited by the perspective of the worst-off and the priority of liberty. Furthermore, the effects of immigration on the local culture and history of society should not be a relevant moral consideration as long as there was no threat to basic liberal democratic values. Carens (1987) concludes that non-ideal theory proves more ground for restricting movements of people than ideal theory, but non-ideal theory is severely limited, while ideal theory holds up the concept of free movement for all as a part of the just social order that we should strive for. Carens (1987) states that, although utilitarianism provides more ground for restricting immigrants from access as their well-being is not weighed from this perspective in making decisions, it still provides more ground for open borders than for closed borders. This is due to the fact that the potential of the newcomers must be weighed equally with the local community. Carens (1987) states that there are three conditions under which borders may be closed: invasion with armed forces, liberal influences undermining liberal institutions, and numbers overwhelming capacity of welfare services.

For a long time, Carens (1987) was the leading author on the openness of borders. However, the ideas of Carens (1987) provoked reaction from the academic community, with both Meilaender (1999) as Isbister (2000) responding. Meilaender’s (1999) critique starts off with the recognition that the perspectives that Carens (1987) are all liberalist. Liberalist in the sense that they prioritize the individual over the community, thus, restriction of access of individuals would already have little ground from these perspectives. Furthermore, Meilaender (1999) has doubts with Carens’ (1987) notion of maximizing, a principle that is very strong in liberalist theory. Meilaender (1999) argues for the community to have a stronger role in the views of Carens (1987), for it appears to Meilaender (1999) that Carens (1987) falls short on that

note. As Meilaender (1999) argues, the individuals reason from a sense of community, thus, the full embracement of liberalist theory would be a false assumption. Meilaender (1987) acknowledges that exclusion is not as easily justifiable under liberal assumptions, but underlines the possible arguments that may be formulated from a perspective of preserving local identity and culture. Meilaender's (1999) however has the biggest problem with the undefended assumption of the liberal mind-set of Carens (1987), which according to him is present in all his works. This raises two problems: first, the undefended assumptions of Carens (1987) regarding liberalism invites oppositions to take on equally undefended assumptions, leaving the discussion in a deadlock. Second, Meilaender (1999) states that identity and community do matter in this case, as immigration policies are not just any state policies, they help shape national identity and community that is now neglected. Furthermore, according to Meilaender (1999), it suggests that the only just state is the liberal state. Meilaender (1999) recognizes the worth Carens (1987) argument has in liberal circles, but for the broader context, the taken for granted assumption of liberalism renders Carens' (1987) argument incomplete, according to Meilaender (1999).

Carens (1999) responds to this stating that he acknowledges the liberal assumptions he made, yet he would like to start up the discussion with other perspectives as well. Nonetheless, as Carens (1999) describes, his notions still stand, they invite people to think, and Carens (1999) suspects that others who view justice from other perspectives can relate to these notions. Furthermore, Carens (1999) emphasizes that he considers human rights to be equal to all cultures and societies, thus when he states freedom of movement is a human right, he intends this for all societies. Carens (1999) states that liberal governments have not provided enough ground to justify the restrictions of immigration. Lastly, Carens (1999) acknowledges that there are a number of flaws in his reasoning, but he believes that his argument still stands, and that the quest for the open border continues.

It is then Isbister (2000) that reacts upon Carens (1999), providing arguments for closed borders from a liberal perspective. Isbister (2000), assuming that liberalism assumes equal moral worth of each person in the world and that the rights of the individual come prior to that of the community, underlines that the national border has moral relevance. Isbister (2000) states that equal moral standing does not entitle people to equal moral treatment, stating that preferences are always outed, like family over unfamiliar people. Isbister (2000) calls upon four principles of liberalism, namely efficiency, impossibility, moral saints and unequal connections. In terms of efficiency, Isbister (2000) states that preference may be given by nation states to their citizens, as they are more easily reached by the nation states themselves. Thus, they have the right to neglect citizens of other countries. The impossibility argument is described as the impossibility of governments to treat lesser off people over the globe equally. This would mean that they had to distribute welfare checks to everyone, and it would simply prove to be not possible, and not fair in relation to the lesser off citizens of the country in question, as Isbister (2000) states. The "moral saints" connection, as Isbister (2000) describes it, is that people in richer countries do not necessarily have to fulfil a position of the moral saint, who is obliged to act on all injustices and sacrifice a lot. Lastly, the argument of unequal connections, as Isbister (2000) formulates it, stems from the connections that individuals have within countries. He relates this to the fact that due to that there are not as many international relations within a country as there are internal relations. Thus, a country citizens has less obligation to act upon these international relations than on their internal relations. Isbister (2000) states that, with these four arguments in mind, the closing of borders might serve one just cause: the protection of the own poor, by protecting them from the competition that foreigners might bring.

Responding to Isbister's (2000) critique, Carens (2000) responds to Isbister (2000) in the following manner. Although agreeing to the notion of preferential obligations of states, Carens (2000) does not think Isbister (2000) provides fundamental arguments for rigid border controls. The favouring of family over

others is quickly diminished by Carens (2000), stating that within states, all manners of policies are developed to prevent people from favouring family and friends over others. Regarding the impossible, Carens (2000) asks the question why something needs to be possible to be morally relevant. Like total equality, Carens (2000) sees open borders more as a regulative ideal than a goal. Thus, three arguments remain, inefficiency, the unequal connections argument and the “moral saints” problem. Carens (2000) does not go into detail about the inefficiency argument, but regarding the “moral saints” argument, Carens (2000) states that it is not a simple act of generosity, but that morality compels the privileged to do something nonetheless. Carens (2000) also diminishes the unequal connections argument of Isbister (2000), as it delivers three problematic notions. Isbister (2000) states that justice should be reciprocal. But where does that leave the people who cannot contribute? Furthermore, the connections that bind these citizens are taken for granted. Should one regard reciprocity as just, it should be measured. And lastly, and most importantly, even if reciprocity is part of justice, it does not mean that we are entitled to exclude outsiders who want to engage in reciprocal relations.

But does this work in praxis? It is Bloom (2009) who applies Carens’ (1987) theory of justice on a case of Somali refugees in the United Kingdom (UK). Bloom (2009) uses the three conditions under which border closure is permitted according to Carens (1987) to assess the theory. Doing so, Bloom (2009) comes to some discrepancies that render Carens’ (1987) theory problematic. For instance, take the threat of an armed invasion. It says nothing about the threat of terrorism, yet it is this threat that has gained momentum in political rhetoric. The application of Carens (1987) to the case of the Somali migrants in the UK shows that there is a need for taking into account domestic justice as well as global justice. The basic freedom to move from a failed state, may be the only way to gain basic liberties for some.

Carens (2014) provides a revised theory on the just border in his piece called ethics of immigration. In this piece, Carens (2014) not only discusses whether or not borders should be open, he also draws into the discussion issues like citizenship, inclusion, irregular migration, refugees, and other issues connected with immigration. Carens (2014) does not mention visa policies by name, but does dedicate a paragraph on admission. According to Carens (2014), there is one aspect of morality that cannot be denied in immigration policy, which is the principle of non-discrimination. This means that no democratic country could possibly deny people access based on ethnicity, race and religion. Carens (2014) expresses concerns that these reasons however, are still denominators for exclusion, yet are concealed through other means. So, one can see a gradual shift in the ethics of border studies towards the paper borders as well.

Now a transition will be made from the theoretical towards the conceptual. This is to say that from the broad theoretical works available, a conceptual framework will be distilled that will function as the basis of this research on the fairness of the Common Visa Policy.

As shown in the earlier parts of this section, visa policies throughout the world can be regarded as borders as they clearly delineate a separation between an “Us” and an “Other”, thus showing signs of “othering”, “ordering” and “b/ordering” (van Houtum & van Naerssen, 2002). Furthermore, the border character of visa policies is emphasized as visa policies allow for control through legitimization of action, signification and domination, through the means of the institutionalization of the border (Newman, 2006), based on the before mentioned processes of “othering”, “ordering” and “b/ordering”. In the same sense, the Common Visa Policy may be regarded as a border. With this in mind, the conceptual framework can be expanded. The aim of this research is to assess the fairness of the Common Visa Policy. To do so, it is necessary to understand the why of the border (van Houtum, 2010). The why of the border, as Van Houtum (2010) describes, is informed by the Paranoid Desire and the Schizoid

Desire. These desires (which are both in turn also fears) are characterized as internalized phenomena; the contest between these desires takes place within the human mind.

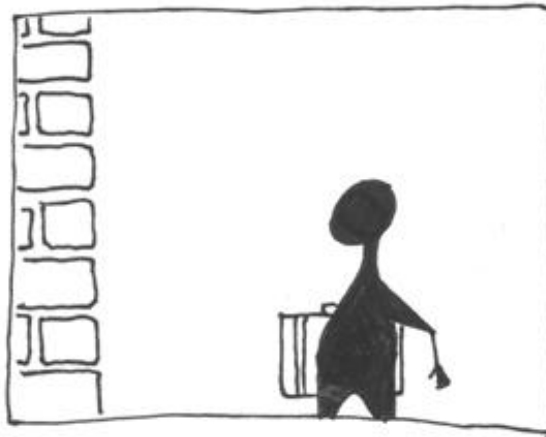
As the why of the border is an inner struggle between the Paranoid and the Schizoid Desire, this means that these Desires are formed through the internalized conceptions of the individual that is bordering oneself. In other words, I assume the Paranoid and the Schizoid Desire to be informed by one's own paradigm, the way one views the world, or in other words, one's discourse. It is from there that the Paranoid and the Schizoid Desire stem, and inform the border one draws, the process of "othering", "ordering" and "b/ordering".

There is however still one last conceptual step to make. This is due to the border still being an internalized feature of the discourse, a result of Schizoid Desire and the Paranoid Desire that inform the why of the processes of "othering", "ordering" and "b/ordering". However, the institutionalization of the border also

means the externalization of the border, the extension of the concept of the border from within the self to without the self. Should this be done by one person, the formation of the border would be quite easy. However, in most cases, including the Common Visa Policy, the institutionalization of these kinds of projects involves a lot of minds, which means a lot of discourses. Through expression, consideration, communication and negotiation between this discourses, a new discourse is formed, a discourse that – in this researched – shall be named "group-discourse". It is this discourse, the "group-discourse", that informs the Common Visa Policy.

Thus, in order to deduce the why of the Common Visa Policy, one must look into the "Group-Discourse" to recognize the Paranoid and Schizoid Desires. However, one must take into account that it is very likely that no one involved in the formulation of the Common Visa Policy possesses a discourse that is completely similar to the found group discourse, for it is a product of compromising discourses.

Chapter 5 – Excavating Common Visa Policy: Data Collection



In order to know where to unleash discourse analysis upon, it is necessary to know firstly what constitutes the CVP as it is today. Therefore, this section will pay attention to mapping the background of the CVP. This is done by carefully reading through Policy Documents as well as using other sources like interviews, thus tracing the roots of the CVP. Where necessary, the source of information will be specified to the fullest extent possible. The end of this section will try to provide a comprehensible schematic on where the roots of the CVP lie. It has to be noted though, that while I believe this part to be useful for this research in illustrating in detail which document refers to which, this is no more than a summation of analysis sources, from which no conclusion were drawn.

Mapping the background will start with the most comprehensible summary of what the CVP is. This summary is provided by the European Commission itself (European Commission, 2015), on the webpage dedicated specifically to the CVP. In order to allow the borderless Schengen Area to function efficiently, the CVP is brought to life. The aim of the CVP is to facilitate entry of legal visitors in the EU, while strengthening internal security. The CVP facilitates short stays, meaning stays up to three months, through short stay visa, or transit through the international transit areas at airports through airport transit visa (European Commission, 2015).

When looking closer at this webpage, it appears that the EU has compiled a list of countries whose nationals must be in possession of a Schengen Visa to be allowed entry to one of the listed Schengen Countries. However, non-EU nationals may be entitled to an accelerated visa procedure if he or she has a family member who is an EU citizen, if that EU citizen is traveling to another Schengen state, and if the applicant for the visa is accompanying the EU citizen on his or her travels. The same rules apply to the airport transit visa, but one might be exempt from this requirement if one measures up to the following: a valid or residence permit issued by a Schengen state, a visa valid for a Member

State of the EU or the European Economic Area, Canada, Japan or the United States, a valid residence permit issued by a Member State of the EU or the European Economic Area, a residence permit issued by the Principality of Andorra, Canada, Japan, Republic of San Marino, or the United States, that guarantees unrestricted right of return, is a family member of a citizen of the EU, EEA or Switzerland, hold a diplomatic passport or is a flight crew member national of a contracting party to the Chicago Convention on International Civil Aviation (European Commission, 2015).

According to the webpage of the CVP, the CVP consists of three main elements:

- A common list of countries whose citizens either must have a visa when crossing the external borders of the Schengen Area and a common list of countries who are exempt of this requirement, both of which are specified in Regulation (EC) No539/2001;
- the EU Visa Code, which sets out procedures and conditions for the issuing of visas for the purpose of short stay or airport transit;
- and the uniform format for the visa sticker.

The webpage also lists additional policies. These policies are not part of the main body of the CVP, but influence the workings of the main body. Firstly, there is the Visa Reciprocity Mechanism, which aims to gain visa free access for EU citizens to non-EU countries who are exempt of visa requirements for entry to the EU. This means that, should a non-EU country impose visa requirements for one or more EU member states, the Visa Reciprocity Mechanism aims to either restore visa free travel or propose retaliatory measures regarding the country in question. Secondly, there are the Visa Facilitation Agreements, which provide, as the name suggest, facilitated procedures of issuing visas for citizens of both parties in the agreement, which would be the Schengen Territory and a non-member state. At this moment there are Visa Facilitation agreements with the

following countries: Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Cape Verde, the Former Yugoslav Republic of Macedonia, Georgia, Moldova, Montenegro, Serbia, Russia and the Ukraine.

Although the information on the webpage appears to be solid, there is hardly enough data to distil discourses from. Thus, it was necessary to do more digging. This brings us to our next section.

5.1. Delving in: the three elements of CVP and influencing procedures

The EU has given us a look at the foundation of that which is the CVP, but now it is attempted to gain a look how at how the soil looks at which it is built. This means that we will delve “underground”, so to say, to uncover what constitutes the above mentioned elements and influencing procedures. To do so, we shall start by close reading the separate documents that constitute the main body of the CVP, as mentioned earlier. This will result in a list of documents that have informed the making of the CVP, which will convey some meaning to how it is created. First up, Regulation (EC) No539/2001.

Regulation (EC) No539/2001

When clicking the link for Regulation (EC) No539/2001, one is presented with the regulation as it is today. This regulation presents the most basic rules regarding issuing of short stay visas for the Schengen Area, and lists the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (European Commission, 2015). According to the introductory notices in the regulation, this list is compiled with having regard for the Treaty which establishes the European Community, in particular article 62 point 2(b)(i), the proposal of the European Community (OJ C 177 E, 27.6.2000), and the opinion of the European Parliament (Opinion of 5 July 2000, not yet published in Official Journal). Additionally, certain parts from it refer to the Schengen

Protocol, a protocol which will be discussed later on. Adding to this, an often mentioned document is the Agreement on the Abolition of Visas for Refugees, signed in Strasbourg, April 20th, 1959.

However, Regulation (EC) No539/2001 has not always been as it is now. Using the online “book of law” of the EU, EUR-Lex, every point in history can be found at which this regulation was amended, often with an explanatory memorandum of why this has been done so. It may be in these amendments that key features can be found that lead to the discovery of the discourse constituting the CVP.

The EU Visa Code

The second main element of the CVP is the EU Visa Code. This code lies down rules and procedures, as well as conditions, for the issuing of visas. While presenting these rules, the European Commission mentions online the Handbook for the processing of visa applications and the modification of issued visas in regard for operational instructions of the application of the Visa Code, as well as the Handbook for the organisation of visa sections and local Schengen cooperation (European Commission, 2015). These Handbooks provide instructions on issuing visas, while providing examples, and thus they may provide insights in the considerations that have to be made while issuing visas.

However, there are more documents that underline the EU Visa Code. Drawing from its legal text, it is – just like Regulation (EC) No539/2001 – compiled with regard to the Treaty which establishes the European Community, with the additional articles 61, 62(2)(a), and – for the procedural part – article 251. Another document that is referenced by both Regulation (EC) No539/2001 and the EU Visa Code, is the Schengen protocol, which insinuates that these two documents are not to be taken lightly in the analysis. Also, references are made to the Council of Europe’s Convention for the Protection of Human Rights and Fundamental Freedoms and the Charter of Fundamental Rights of the EU, which appear to be constituting a moral framework for the European Commission.

These agreements are linked to readmission agreements, which establish the procedures for the return to the EU or the partner non-EU country in irregular situations. Furthermore, EU States may individually negotiate agreements on local border traffic with neighbouring non-EU countries. These agreements enable residents of well-defined border areas to enter the EU territory without the requirement of a visa. At the moment there are twelve Visa Facilitation Agreements in function. The Visa Facilitation Agreements can be seen as outreaching hands, from the EU to third countries, and thus they may prove to be interesting in discovering the discourse behind this outreached hand.

5.2. Down the Rabbit Hole

Exploring the soil of the CVP has led to a better insight in not only what constitutes the CVP, but also what influences the workings of the CVP. However, in order to ensure diligence, it may prove to be worthwhile to dig even deeper, to see even deeper layers. Thus, through once more close reading the new found documents, we shall continue exploring this soil, the rock bed on which the CVP has been built, and venture further down the rabbit hole. We shall start off with one of the more frequently mentioned documents, the Treaty on the establishment of the European Community. Using EUR-Lex once more, we delve deeper.

Treaty on the establishment of the European Community

The Treaty on the establishment of the European Community lays down the ground principles and procedures of the European Community, being the EU and the Schengen Area. There are several interesting parts of this treaty to consider, the first of which is the introduction, which states the underlying motivations of the acceptance of this treaty. Here, a reference is made to the

Charter of the United Nations, in the sense that the treaty is established in accordance with the principles of this charter.

The second part of this treaty to consider is Title IV of the treaty, on “Visas, Asylum, Immigration and other policies related to free movement of persons. Article 61 states that the Community shall adopt measures to ensure the free movement of people in accordance with Article 14, within five years of the entry in to force of the Treaty of Amsterdam. In the same period, the Community shall adopt asylum measures in accordance with the Geneva Convention of July 28th, 1951 and the Protocol of January 31st, 1967.

Schengen Protocol

Regarding the Schengen Protocol, the Council of the EU states to act on the basis of Article 2(1) of the Protocol annexed to the Treaty on the EU and the Treaty establishing the European Community. The Schengen Protocol is designed to define the Schengen *acquis* and to integrate it into the framework of the EU. However, as it is a protocol, not many other references to charters are made, nor are there any rights stipulated. Concerning the time restraint, the decision therefore has been made to not delve any further into the Schengen Protocol.

Agreement on the Abolition of Visas for Refugees, April 20th, 1959

The Agreement on the Abolition of Visas for Refugees has been signed to facilitate the travel of refugees residing in the territory of the EU. There are several reference made. For instance, refugees are exempt of the requirement of visa if they hold a valid travel document that is issued in accordance with the Convention on the Status of Refugees of the 28th of July, 1951, or the Agreement relating to the issue of a travel document to refugees of October 15, 1946.

Visa Information System (VIS)

The Visa Information System, or VIS, is a large-scale IT system for collecting, processing and sharing information that is relevant to the management of the external border. The goal of VIS is to improve and reinforce the external borders. With VIS, Schengen States can exchange visa data. One of its uses, according to the website of the EU, is to help with the asylum applications: it makes it easier to determine which EU state is responsible for examining the asylum application (European Commission, 2015). Though not directly referenced, this seems to be related to the Dublin Conventions.

The Schengen acquis

The Schengen acquis lines out what the Schengen agreement is about. However, as it is mostly about the internal borders of the EU, this document has not been traced back further. It will however be subjected to analysis.

5.3. Additional analysis sources and sources left out of analysis

The list of documents that are subject to analysis adds up to 40 documents found by tracing the roots of the Common Visa Policy. However, some documents are added for their assumed value in discovering discourses. These documents are:

- Visa Application Form;
- Map of Visa Requirements;
- Explanatory memorandum of the Proposal for Regulation (EC) No539/2001;
- The Charter on Human Rights of the European Union;
- The Convention on Human Rights of the European Union.

Furthermore, some documents are left out of the analysis for reasons of time constraints or inability to find these documents. These are:

- The opinion of the European Parliament, 5th of July, 2009: not published in the Official Journal;
- The Treaty of Amsterdam: assuming that this treaty has been incorporated in the other Treaties;
- Council of July, 9, 2008: not able to be found.

Additionally, with help of the Ministry of Security and Justice, five documents have been added concerning current changes within the Common Visa Policy, in order to make this research more up to date. These documents are:

- A letter from the Dutch Ministry of Security and Justice regarding its opinion on the proposed changes in the CVP;
- The explanatory memorandum and changes regarding the Community Code – now Union Code – on Visas;
- A report of the European Commission directed at the Parliament regarding a smarter visa policy for more economic growth;
- A vision for the future of the CVP;
- A letter from the Dutch Ministers of Foreign Affairs and Immigration and Asylum directed to the Dutch House of Representatives.

Lastly, drawing from the interview held with an official of the Ministry of Justice, the following documents have been added to the hermeneutic unit:

- The explanatory memorandum for Council Regulation (EC) No2414/2001 of 7 December 2001, amending Regulation (EC) No539/2001
- The explanatory memorandum for Council Regulation (EC) No453/2003 of 6 March 2003, amending Regulation (EC) No539/2001
- The explanatory memorandum for Council Regulation (EC) No851/2005 of 2 June 2005, amending Regulation (EC) No539/2001
- The explanatory memorandum for Council Regulation (EC) No1244/2009 of 30 November 2009, amending Regulation (EC) No539/2001
- The explanatory memorandum for Council Regulation (EC) No1091/2010 of 24 November 2010, amending Regulation (EC) No539/2001
- The explanatory memorandum for Council Regulation (EC) No1211/2010 15 December 2010, amending Regulation (EC) No539/2001
- The explanatory memorandum for Council Regulation (EC) No259/2014 of 3 April 2014, amending Regulation (EC) No539/2001
- The roadmap for visa liberalization for Albania;
- The roadmap for visa liberalization for Bosnia;
- The roadmap for visa liberalization for Macedonia;

- The roadmap for visa liberalization for Montenegro;
- The roadmap for visa liberalization for Serbia;
- The roadmap for visa liberalization for Turkey;
- The report on the progress of Turkey in achieving the set benchmarks for visa liberalization.
- The Cotonou Agreement, as the African, Caribbean and Pacific countries are regarded as not qualifying for EC Visa facilitation and readmission agreements, with the notion that the Cotonou Agreement, in particular article 13, is regarded as sufficient basis to make these countries cooperate on readmission (confirmed by one of the previously mentioned amendments);
- The visa dialogue with Russia;

A full list of documents subject to analysis can be found in Appendix 1.

5.4. CVP Illustrated

Now that we have explored even the deeper soils, we can illustrate the foundations of the CVP. This illustration can be found on the following page.

Reg (EC) 539/2001
EU Visa Code
Uniform Visa Sticker



Amendments

Proposal
European
Community

Schengen
Protocol

Visa
Information
System

Agreement on
abolition of
Visas for
refugees
1959

Charter
on Fundamen-
tal Rights of
the European
Union

Treaty of
Amsterdam

Geneva
Convention
1951

New York
Protocol
1967

Cotonou
Agreement

Dublin
Convention

Visa
Liberalisation
Action Plans

Treaty on
European
Union

Schengen
Acquis

EU Convention
on Human Rights and
Fundamental Freedoms

Visa
Handbook
2

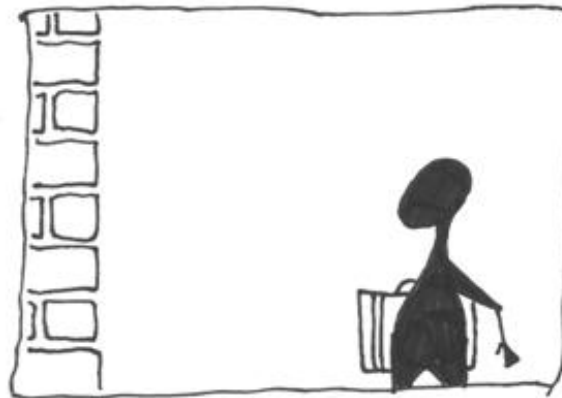
Visa
Handbook
1

Treaty
establishing
the
European
Community

Visa
Reciprocity
Mechanism

Visa
Facilitation
Agreements

Chapter 6 – Discovering Discourses 1: Semiotic Discourse Analysis



In the previous chapters we found a way to conceptualize the concept of CVP, and visa policies in general, and excavated the foundations of CVP itself. Now we return to where we left in the phenomenological framework, the question of why? What is the story behind CVP? As a first step to finding the answer to this question, this thesis will employ Semiotic Discourse Analysis.

Semiotic Discourse Analysis operates under the assumption that language or text is its essence a sign, conveying meaning. Analysis focuses on what the text might mean, or what message it implies (Jaipal-Jamani, 2014). This research starts off with Semiotic Discourse Analysis, to find out what messages the CVP conveys, to show what paradigm is present within the EU. To do so, the three questions mentioned earlier on in the text are used. These are:

- What purposes, explicit or implicit, can be derived from the text?
- Does the text represent or advocate a message?
- Whose interests are represented in the text?

The findings regarding these questions can be found in the remainder of this chapter. These findings are structured as one was describing an iceberg, that is to say, this section starts with describing the tip of the iceberg, what appears to be clear to see, and then ventures down to see what other meanings can be found deeper under the surface of the water. To do so, we start off with the main documents of the CVP, but before we start, one final remark has to be made with regard to the sources of the findings in this, and the following chapters. The findings in the following chapters are based on quotations derived from an enormous body of analysis material. Thus, instead of including all of these quotations in printed form, a disc is included in this thesis in Appendix 2. On this disc, a PDF can be found which includes all the quotations for the different codes used to structure the analysis, for this chapter and the following chapters.

6.1 Tip of the Iceberg: A clear division

When we look at the main documents of the CVP, it gives us insight in some of the purposes that it should serve. The main purpose of the CVP, as stated in its main documents, appears to be clear as day: its purpose is to make a clear and common division of which third country nationals do require a visa to enter, and which third country nationals do not. Regulation (EC) No539/2001, as well as the Treaty on Establishing a European Community, describe this as a necessary flanking measure that is linked to the free movement of persons in an area of freedom, security and justice, the freedom of which is an expression of the ever closer union between the Schengen States, according to the Schengen Acquis.

This division between countries whose citizens need or do not need a visa to enter appears to have its reasons. Delving deeper in the main documents of CVP, frequently mentioned reasons for this division are risk of threat to public policy, internal security and public health. Thus it seems that CVP is designed to protect the Schengen Territory and its nationals from external threats to their physical and societal wellbeing, it represents the interests of the EU, the Schengen Area, and its inhabitants.

The same purpose can be derived from the documents on the Visa Information System. Its webpage describes VIS as a measure of technology to improve and reinforce the external border. Its purpose is to check for fraudulent behaviour of applicants, protection of personal data, facilitating frequent travellers, help with asylum applications – in the sense that it determines which state is responsible – and protection from possible terrorist threats.

This is further explained in Regulation (EC) No767/2008, regarding VIS, in which it is stated that it should contribute to the prevention of threats to the internal security of Member States. Interestingly, with regard to threats to physical wellbeing, irregular migration is often mentioned with the previously mentioned threats. This is done so in the EU Visa Code, and as well in the Seville European Council. Often, a need for combating irregular migration is expressed.

This issue of protection also returns in the Visa Facilitation Agreements, in which it is stated that these should not lead to irregular migration, and that special attention should be paid to security. Note however, that mentioning of threats to public order, internal security and public health often is absent.

In order to create this division, countries undergo a case-by-case assessment in which criteria are used relating *inter alia* to irregular migration, public policy and security, as explained by the explanatory memorandum attached to Regulation (EC) No539/2001. This assessment in turn has resulted in the two Annexes attached to this regulation: Annex I listing the third countries whose nationals are required to be in possession of a visa to cross the external border of the Schengen Area, and Annex II, listing the third countries whose nationals are exempted from that requirement.

Thus, the CVP appears to paint a black and white picture: the countries whose citizens are not regarded as a threat are absolved from their visa requirement, while countries whose citizens are regarded as a possible threat are subjected to visa requirement.

6.2 Diving in: A clear division?

Of course, one would be foolish to trust just the tip of the iceberg, and thus, it is worthwhile to

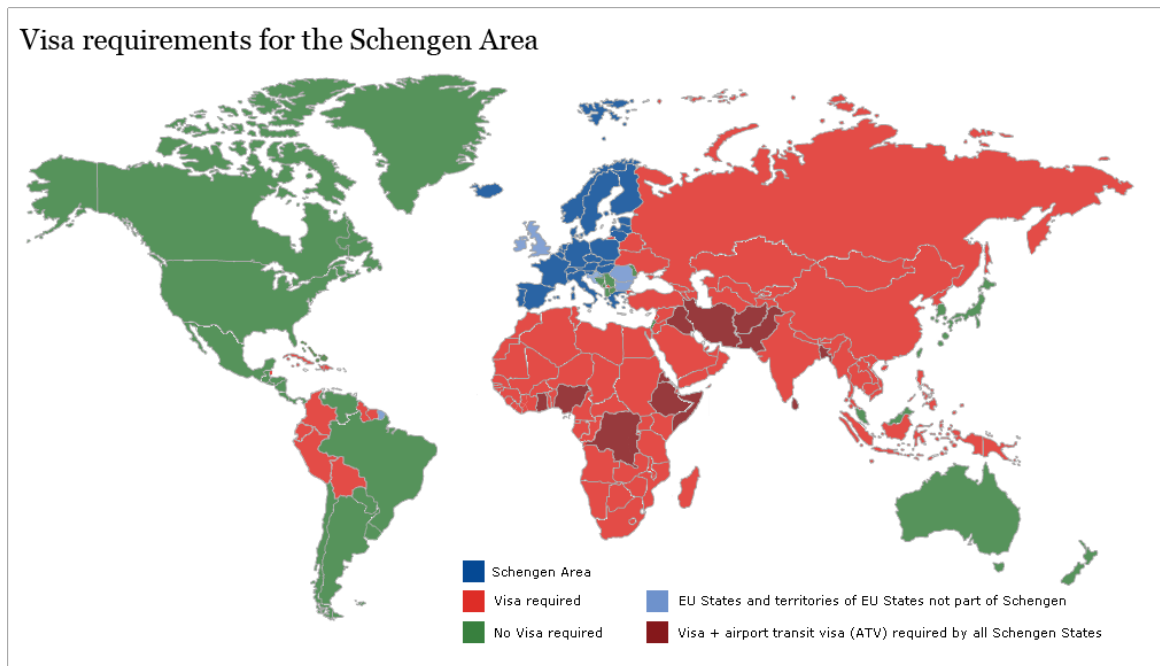


Figure 3 - Visual representation of global Visa requirements for the Schengen Area (European Commission, 2014).
Source: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm

keep digging. It appears that the CVP paints a black and white picture, yet the map is not in black and white. But now let us take a look at the map of the CVP, found on the right. This map is far from black and white, the countries are marked green, different shades of blue, and different shades of red. These colours insinuate that there is a certain homogeneity amongst the countries marked with the same colour. Furthermore, the different shadings of colour insinuate that there are also different levels of homogeneity. Take for instance the different shades of blue: although both a shade of blue are used to mark the same characteristics, the parts coloured with the darker shade of blue insinuates these characteristics are more present there than in the parts coloured with a lighter shade of blue.

When associating this colourful division with the threat discussed in the previous section, the colours used on the map also gain a new meaning. Notice that the territories that are part of the EU are coloured dark blue, the

colour commonly associated with the EU. The Schengen Area in turn, is coloured light blue, which conveys a relationship, or similarity, but not equality. Now notice the red coloured parts on the map. These parts represent the countries listed in Annex I. The colour red is associated with many things, amongst them danger or threat. The fact that the third countries whose nationals require visas to gain entry to the EU and the Schengen Area are coloured red, together with the assessment on criteria regarding irregular migration, public policy and security, determines that these countries indeed are perceived as a threat to the blue space of freedom, security and justice, also known as the EU. Within this determination that these countries pose a threat, again different levels are applied: notice how some countries are coloured a more dark shade of red. This darker shade shows the countries that not only need a visa to cross the external border of the Schengen Area to stay in the Schengen Area, but also need an airport transit visa, a visa needed to transfer between flights on airports situated in the Schengen territory. This insinuates that there are different levels of threat: although all the red countries pose a possible external threat to the wellbeing within the Schengen Area, the parts coloured dark red are perceived to pose a larger possible threat than the parts coloured lighter red. Also take note of the fact that the countries listed in Annex II are coloured green, a colour often associated with safety. A more interesting way might be to think of this as a traffic light, positioned at the border: green means it's safe to go, red means it is not safe to go, and dark red means it is really dangerous to go. For the blue area of freedom, security and justice. Thus, it appears that the previous notion of a black and white picture is false: there are in fact many different levels of threat and affiliation. But what do these colours convey? What do they mean? The answer to this may be found in the terminology used.

6.3 Into the blue: 50 shades of grey

With regard to the CVP, a specific terminology is used to describe countries or people that it affects. These countries are described as “Member States” and “third countries”. What messages are present in the use of these phrases? One

could argue that the use of these words declare a certain difference between them. “Member States” are part of a certain club or union, in this case the EU, and third countries are not. But there are more differences to be found when looking at these terms. Third countries – countries that are not part of the EU or the Schengen Area – in themselves also differ from one another. This is shown by the distinction of whether or not the nationals of some third countries do require visas to gain entry to the area of Member States, and some do not. This brings to mind two questions: what distinguishes “Member States” from “third countries” and what makes the countries listed in Annex I of Regulation (EC) No539/2001, who do require visas, different from the countries listed in Annex II, those who do not?

Area of Freedom, Security, and Justice

Regarding the first question, the answer has been partially given. The “Member States” are states that are part of the EU. The thing that makes the EU different from other unions or territories, lies in its creed. The EU is devised as an area of freedom, security and justice. The meaning of this is presented in the documents underlining what the EU is. Furthermore, in order to maintain the area of freedom, security and justice, it is necessary to make a distinction between third countries regarding entry requirements.

But what does an area of freedom, security and justice mean? The Treaty on Establishing a European Community conveys a part of the message. It is a close union of people, striving for economic progress and fair competition, and abolishment of restrictions on trade. It intends to continuously improve the living and working conditions of its peoples. It progressively attempts to abolish restrictions on international trade. It intends to confirm solidarity between the EU and overseas countries, and to ensure their prosperity. It aspires to strengthen peace and liberty, and promote knowledge through education. The EU appears to primarily focus on economic prosperity. This seems to be confirmed by the vastness of clauses targeting economic regulations. The sections

regarding economic regulations often take up the majority of the regulations, as demonstrated by the Treaty on Establishing a European Community and the Treaty on the Functioning of the European Union. Adding to this is the explanatory memorandum for revising the Community Code on Visas, in which it is stated that the CVP should contribute to generating growth and be coherent with other EU policies on trade, external relations, education, culture and tourism.

However, the EU does not solely promote economy. Take for instance the Treaty on Establishing a European Community. Although it focuses primarily on economic development, it also pays attention to some ethical issues, like the equality of men and women, social cohesion, and protection of the environment, as well as combating discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation. So it appears that the EU values ethics very highly. Examples of this high valuing of ethics can be found in many documents. This, according to the Treaty on European Union, stems from Europe's cultural, religious and humanist heritage that has informed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and rule of law. This treaty also confirms the attachment of the EU to the principles of liberty, democracy and respect for human rights and fundamental freedoms, as well as rule of law. The Treaty on European Union also states to uphold its values in its relations with the wider world, contributing to peace, security and sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter.

The respect for human rights goes so far that the EU has formulated its own charter on human rights. The charter states that everyone has the right to have his or her dignity respected, the right to life, the right to integrity of the person,

that none shall be submitted to torture or degrading treatment and punishment and that none shall be submitted to slavery and forced labour. Furthermore, it secures the rights to liberty and security, privacy and family life, protection of personal data, the right to marry and found a family, the right to freedom of thought, conscience and religion, freedom of expression and information, freedom of assembly and association, freedom of arts and sciences, the right to education, freedom to choose an occupation and the right to engage in work, freedom to conduct business, and the right to property, the right to asylum and the right to protection in case of removal, expulsion or extradition. The list continues with the insurance that everyone is equal before the law, that no one shall be discriminated on what grounds whatsoever, the respect for cultural, religious and linguistic diversity, equality between men and women, rights of the child, the rights of the elderly and integration of people with disabilities. The list goes on and on. The same rights and freedoms are endorsed by the European Convention on Human Rights, for which the basis lies in the Universal Declaration of Human Rights of 1948 by the United Nations. However, it is unclear if these rights are only enjoyed by the peoples of the EU, or the peoples of the world. However, as it refers to everyone, it is assumed that it applies to the world population.

But the humanitarian cause of the EU is also seen in other documents. For instance, note that in the previous paragraph the need for external border controls was described as a necessary measure to ensure the functioning of the area of freedom, security and justice. The Treaty on Functioning of the European Union states the very same, with an addition: it has to be fair for third country nationals. In the same document, it states that the EU shall take measures to combat racism, crime and xenophobia to ensure security. The Schengen Acquis also mentions the dedication to human rights. Here, it is stated that the contracting parties reaffirm their obligations to processing asylum applications under the 1951 Geneva Convention. Furthermore, the Schengen Border Code makes it possible to derogate from visa requirements on the basis of

humanitarian grounds. Even more interestingly is the Agreement on the Issue of travel documents for refugees, of October 15, 1946, which states that travel documents must be issued to refugees provided that they are in fact stateless or do not enjoy the protection of any government.

Additionally, freedom of movement is seen as a right to all citizens of the EU, as well as goods. However, these rights may be subjected to limitations on the basis of public policy, internal security or public health. Note that the freedom of movement within this area of freedom, security and justice and its restrictions are also present in the Agreement on the Abolition of Refugee Visa. When looking at the Treaty on the Functioning of the European Union, one can see that the same norms and values are endorsed as in the Treaty on Establishing a European Community. Additionally, it presents provisions to respect religious and national culture and traditions as well as animal wellbeing, demonstrated through the clause that states to respect these – while respecting animal wellbeing – in the fields of agriculture and fisheries, among others. Note also that within the EU, the right to protection of personal data is defined in a clause of its own. Within the EU, as demonstrated by the previously mentioned charter on human rights, privacy is seen as a right of all people. Furthermore, the Visa Facilitation Agreements give the impression as well that the EU has set a goal of promoting not only economy, but also to strengthen science and culture, and promote humanitarian causes. This is emphasized by for example the facilitations made for people persecuted by the former communist regime, present in the Visa Facilitation Agreement with Albania. Adding to this is the impression that the EU intends to promote its ideal of an area of freedom, security, and justice, as it compliments the progress made by the Former Yugoslav Republic of Macedonia in the area of justice, freedom and security. This might also hint at a sense of superiority of the EU in terms of norms and values. Lastly, an interesting message is sent regarding the behaviour of Member States, and the EU itself. First of all, it appears that even though the regulation state that Member States should strive for maximum geographical coverage regarding the

possibilities for visa application, there is still not enough geographical coverage. Additionally, in the motion for a resolution regarding the EU Visa Code, the European Parliament calls upon Member States to make use of the provisions to issue humanitarian visas. Apparently, these provisions are hardly used, even though the EU presents itself as a promotor of humanitarian causes. And finally, in the same motion for a resolution, the European Parliament expresses its regrets that there still has not been conducted a study on the possibility of establishing a common European issuing mechanism for short term visas, including an examination of to what degree an assessment of individual risk could supplement the presumption of risk associated with the applicant's nationality. It is however not stated whether this is to reduce the use of risk associated with the applicant's nationality, or the reinforce this even further. It is suspected that it is rather the latter than the former, making the application for a visa even more difficult.

Thus, the distinction between “Member States” and “Third Countries” is seen in the membership of the area of freedom, security and justice. A membership that is apparently also linked to a sense of “Europeanness”, as most fundamental treaties and charters refer clearly to the “peoples of Europe” in their introductory parts, and to which third countries not belong.

Third Countries

Regarding the second question, the answer is given in the introductory phrases of the CVP documents and the explanatory memorandum regarding the proposal for Regulation (EC) No539/2001. The previous section also hinted towards this difference. The difference between third countries whose nationals do require visas and those who do not lies in their perceived threat to the wellbeing of the area of freedom, security and justice. This is illustrated by the process of how this difference is assessed: a case-by-case assessment of a variety of criteria relating *inter alia* to irregular migration, public policy and security. Adding to this is the early Schengen Acquis, stating that aliens, i.e. third country nationals,

are to be refused entry if they pose a threat to international relations. Thus, it may be assumed that the countries listed in Annex I are perceived to be dangerous regarding these criteria, while the countries listed in Annex II are not perceived as such. This is confirmed by the visual representation of these lists, as red is often used to signify danger (the third countries listed in Annex I are coloured red or dark red), and green is often used to signify safety (the third countries listed in Annex II are coloured green).

Thus, the nationals of the countries listed in Annex I are also treated as a potential threat to the area of freedom, security and justice, while the nationals of Annex II are trusted in full as they come from an area which is not perceived to be threatening. This is emphasized by the fact that many procedures on refusal take in to account the danger of the applicant to be a threat to public policy, internal security or public health, as described in the EU Visa Code, and the Schengen Border Code, as well as in the applauding of police force at the external border in the Seville Council. This emphasis is strengthened by the handbooks regarding the implementation of CVP. Here, a detailed guide is given to assess whether or not applicants may pose a threat, including actions like looking into criminal records.

Regarding the nationals of third countries, another form of interesting use of terminology can be seen. In the early days of Schengen, these nationals of third countries were referred to as “aliens”. “Alien”, in its sense, dehumanizes the defined significantly, and instils a sense of inequality. This term was replaced by the term “third country national”, which gives it a more human meaning.

So, what does it mean to be a threat in terms of public policy, internal security or public health? In the previous indention, it was already highlighted that crime is a threat to public policy and internal security. Another insight in the answer is given by the documents regarding VIS, or Visa Information System. The Visa Information System, as described by the policy documents, presents a tool to identify threats to internal security. Interestingly, the website section on VIS

describes these threats as terrorism or other serious criminal offences. Concerning threats to public health, these are defined as any disease with epidemic potential as defined by the International Health Regulations of the World Health Organisation and other infectious diseases or contagious parasitic diseases if they are the subject of protection provisions applying to nationals of the Member States. Furthermore, the Amendment on Regulation (EC) No539/2001 (Regulation (EC) No453/2003) reaffirms that irregular migration is seen as a threat, as Ecuador, due to the criterion of irregular migration, is moved from Annex II to Annex I. But where lies the threat of irregular migration? Often, irregular migration is mentioned in one breath with human trafficking. This is demonstrated within the Seville Council, multiple times. Interestingly, the European Charter on Fundamental Human Rights and Freedoms only prohibits human trafficking. However, scholars state a clear difference: smuggling is a contract between two parties in which one provides services for the other to cross the border irregularly, while trafficking involves exploitation of the person being irregularly transferred. The two however, are closely linked. Regarding the threat of irregular migration, the interview with an employee from the Dutch Ministry of Security and Justice gives more insight. According to the interviewee, the threat of irregular migration lies in the fact that people who should have gone through thorough examination before crossing the border factually have not gone through this examination. In other words, the threat of irregular migration lies in the presumed threat that these people might pose to public order, internal security and public health, based on where they are from. It is however unclear on which foundations these images, perceptions and assumptions are built, there are no references made to reports that underline the connection between nationality and threats to public order, internal security and public health, nor references to reports that underline the connection between irregular migration and threats to public order, internal security, and public health.

Furthermore, we see a shift in terminology indicating persons that cross the external border while not possessing the necessary papers. Whereas these persons are still commonly referred to as “illegal”, now we see a shift to the use of “irregular”. Whereas “illegal” denotes some form of crime, and thus criminalizes these migrants who fit the description, “irregular” has a lot less hostile character attached to it. Interestingly, the report that underlines the revision of the EU Visa Code, states that it is widely assumed that the goal of visa policy in combating irregular migration has been reached. This is based on the fact that no security threats or problems have been perceived. It has to be assumed that these security threats and problems had to be perceived on European soil and affecting the European peoples, given the current phenomena occurring at the external border.

But not only do third country nationals pose a threat, they also pose a potential burden. This is demonstrated by the Seville Council, in which it is stated that their legitimate claim to a better life, is in fact subordinate to the reception capacity of Member States. Furthermore, it states that although it is necessary that refugees receive protection, abuse of the system must be prevented. Thus, a message is given that these refugees are threatening to abuse the system. Interestingly, the EU seems to admit that irregular migration and refugee status are related. This is demonstrated by another account of the Seville Council, which states that in order to combat irregular immigration, it would be useful to adopt a common framework to determine who qualifies for refugee status. However, several documents, e.g. the Schengen Acquis, also state that Member States may derogate from these criteria in the light of humanitarian reasons. Thus, the humanitarian values of the EU are once more highlighted.

The idea that third country nationals not only pose a possible threat, but also a possible burden can once again be seen in the handbooks that instruct officials on when to issue a visa and when not to issue a visa. Within the criteria of visa refusal, a couple of factors are often mentioned. A visa application can be refused

when the applicant has not proven to have access to sufficient means of subsistence and/or sufficient health insurance. In other words, the potential border crosser must be able to maintain itself, and not place a burden on the financial means of the Member State concerned. Thus, there is also some protection of economy involved. This is emphasized by the notion that visa requirements may be waived by Member States if third country nationals will subject themselves to paid labour. The purpose of protecting one’s own economy is also featured in the Visa Facilitation Agreement, in which it is stated that although the distribution of visas will be facilitated, the applicants still have to conform to the norms set out by European Law; the norms are not loosened up, but the procedures are. The Seville European Council sheds another interesting light on the protection of one’s own interest. With regard to immigration and asylum, a statement is made that “the legitimate aspiration to a better life must be reconcilable with reception capacity of the Union and its Member States”. Interestingly, in the proposal on a new Visa Code, the requirement of adequate health insurance has been revoked.

Thus, we see that the black and white list has assumed a more blurred form. Instead of a black and white picture, this picture now seems to be comprised of many shades of grey. However, it still remains unclear which criteria are then used. These criteria will be subject of the next chapter, but before we get to that, it is necessary to elaborate further on the purposes of the CVP. As mentioned earlier, the purpose of the CVP is the protection of the Schengen Area and its inhabitants against external threats. However, this section has raised suspicions that this is not the only purpose of the CVP. This will be discussed further in the next section.

6.4 2000 Leagues under the Sea: Singular purpose?

In the previous section, it was established that while at first sight, this division seems like a picture painted in black and white, there are in fact many different shades in between those extremes. However, the previous section also gave rise

to other suspicions: that the CVP does not serve one purpose, but more. In the previous section the image of third countries was clarified. Not only are the nationals of these third countries seen as a threat, but also as a possible burden. Thus, the CVP functions not only to protect the Schengen Area and its inhabitants from threats, but also from burdens. Economic burdens, to be exact. And so, this shielding is not only practiced in the name of physical well-being, but also in the name of economic, or financial well-being. We remain however with another question: do the purposes of the CVP end here?

Apparently not. It appears that the CVP also has a purpose regarding international relations. This can be seen in the exceptions made for holders of diplomatic passports and businessmen, among others. This is demonstrated by the Visa Reciprocity Mechanism, the essence of which by now is clear. With the Visa Reciprocity Mechanism, CVP attempts to promote, or otherwise enforce, international relations in the sense that it should be possible for nationals of Member States to travel to other countries without visa requirements. As a reward, the same option is presented for nationals of the third countries concerned. This is also demonstrated by the Visa Facilitation Agreements, which purposes are to promote people-to-people contact in order to improve the development of economic, cultural, scientific, humanitarian and other ties between the EU and the third country concerned. Again, special provisions are granted to holders of diplomatic passports and businessmen, but also to people who are active in the cultural or scientific sectors, among others. This is done by facilitating the procedures in order to acquire a visa, in terms of needed documents, reduction or waiving of visa fees, etcetera.

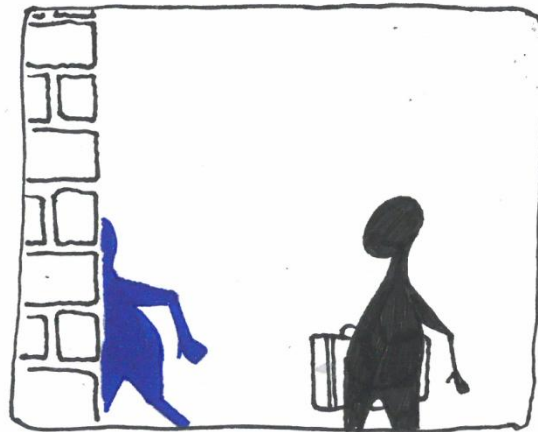
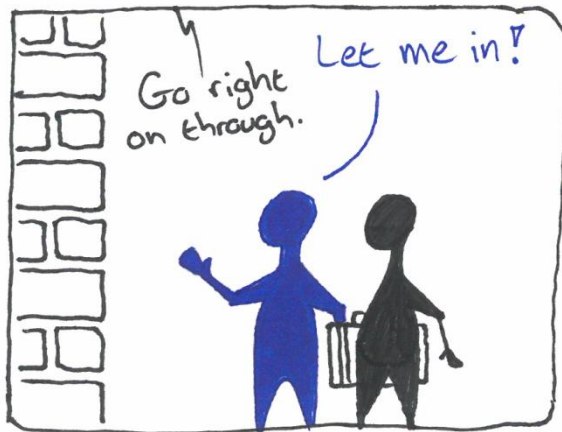
But the purposes do not end there. In the Treaty on the Functioning of the European Union, another purpose of CVP is mentioned. In article 79, paragraph 1 and 2, it is stated that a common immigration policy is necessary for the efficient management of migration flows, next to combating irregular immigration and human trafficking and the insurance of fair treatment of third-

country nationals residing in Member States. This purpose of managing migration flows is also shown in the Schengen Acquis, as it is attempted through designating specific, fixed places along the external border as the only places where the border may legally be crossed. However, it does not end with management. The explanatory memorandum for Regulation (EC) No539/2001 states that visa policy can be used to control migratory flows. Adding to this is the proposal for amending the EU Visa Code. Once again, efficient management of migratory flows is mentioned, but furthermore, it is stated that an amendment is necessary as the CVP should contribute to generating growth, economic growth, that is, while still maintaining security at the external borders and ensuring the good functioning of the Schengen Area.

And so, it can be seen that the CVP does not serve only one purpose, but many. It serves to protect the Schengen Area and its inhabitants from threats and burdens, it serves to promote international relations, it serves to manage and control migrations flows and it serves to generate economic growth. But will these different purposes not conflict with each other? And which purposes are then given priority? The answer to these questions at this point remain vague, but in Chapter 8 an attempt is made to gain insight in the answers to these questions, through applying Critical Discourse Analysis. Adding to this, it appears that economy is the number one priority of the EU, as the motion for a resolution states that updating the visa exemption criteria should include consideration of fundamental rights, but also economic benefits.

In conclusion of this section, we have seen that what appears to be black and white on the surface, in fact is one big blur of shades. What appeared to be concrete, has now become vague, but it appears that the decision on visa exemption or visa subjection is based on images, perceptions and assumptions seem to play a big role. In the next chapter, an attempt is made to return to the concrete, by formulating what could be the list of criteria used by the EU to determine if countries are exempted of or subjected to visa requirements.

Chapter 7 – Close Reading: An attempt to clarify the vague



In the previous chapter attention was paid to the purpose of the CVP and what messages it conveyed. In that sense, the previous section provided us with an insight in how the EU sees itself and the world. The world, according to the EU, is not up to European standards, and thus, it is necessary to determine which third country nationals are allowed to cross the external border without a visa, and which third country nationals are not, in order to protect the well-being and economy of the Schengen area and its inhabitants, but also to promote international relations, manage and control migration flows, etcetera. Thus it has formulated two lists, Annex I of Regulation (EC) No539/2001, and Annex II of Regulation (EC) No539/2001. These lists are created by a case-by-case assessment of third countries on the bases of criteria relating *inter alia* to irregular migration, public policy, and security. But what are these criteria then?

The previous chapter made what appeared to be concrete look vague, but perhaps, if we gained insight in these criteria, the vague would once more become concrete. Thus, an attempt is made to gain insight in the criteria used by the EU to determine whether or not third country nationals are to be subjected to visa requirements. To do so, this thesis draws from the amendments that were applied to Regulation (EC) No539/2001 since it first came into function, in particular the amendments that made changes to the Annexes, and their explanatory memorandums, as well as Visa Liberalisation Road Maps and Visa Liberalisation Action Plans, and the Cotonou Agreement. This last document was added to the body of data in response to proposal for amending Regulation (EC) No509/2014 (COM/2012/650/FINAL), which states:

“Fiji belongs to [Pacific Island Nations Region] but in the light of the current political situation in the country and the lack of progress in complying with the essential elements of the Cotonou Agreement, it is not considered appropriate to propose transferring it to the positive list.”

In order to draw criteria from these documents, this thesis relies on close reading, meaning that each document will be read with full attention and in whole, while searching for any signs that point to criteria that are used either to exempt third countries from visa requirements, or subject third countries to visa requirements. The findings of this close reading can be found below.

To start this, we start of by reading the Cotonou Agreement, for it appears that in order to be eligible for a Visa Liberalisation Action Plan, Fiji first must comply with this agreement, insinuating that this agreement provides some of the most basic criteria that need to be fulfilled in order to become visa free. Below you will find three excerpts which illustrate the purpose of this agreement.

“ACKNOWLEDGING that a political environment guaranteeing peace, security and stability, respect for human rights, democratic principles and the rule of law, and good governance is part and parcel of long term development; acknowledging that responsibility for establishing such an environment rests primarily with the countries concerned;”

“3. The dialogue shall cover all the aims and objectives laid down in this Agreement as well as all questions of common, general or regional interest, including issues pertaining to regional and continental integration. Through dialogue, the Parties shall contribute to peace, security and stability and promote a stable and democratic political environment. It shall encompass cooperation strategies, including the aid effectiveness agenda, as well as global and sectoral policies, including environment, climate change, gender, migration and questions related to the cultural heritage. It shall also address global and sectoral policies of both Parties that might affect the achievement of the objectives of development cooperation.”

“5. Broadly based policies to promote peace and to prevent, manage and resolve violent conflicts shall play a prominent role in this dialogue, as shall the need to take full account of the objective of

peace and democratic stability in the definition of priority areas of cooperation. The dialogue in this context shall fully involve the relevant ACP regional organisations and the African Union, where appropriate.”

These excerpts provide us with a basic understanding of what it means to be eligible for exemption of visa requirements. In the first excerpt, we can see that the aim of the Cotonou Agreement is long term development, but, that the prerequisites for this long term development can be found in the political environment of the participating countries. This political environment needs to guarantee peace, security and stability, as well as respect for human rights, democratic principles, rule of law and good governance. These are themes that are currently reappearing in the other documents. In the second excerpt, more attention is paid to how this political environment should function. Notice the emphasis on the stable and democratic political environment. But what is also striking for the second excerpt, is the inclusion of issues like climate change and gender issues from a cultural perspective. Lastly, the third excerpt elaborates on the promotion of peace and resolve of violent conflicts, to promote stability. Thus we can assume that criteria for exemption include: development, a stable, democratic environment, peace, security, respect for human rights, strong rule of law, good governance, and sustainability (in terms of environment and climate change).

The Cotonou Agreement elaborates on these themes further. Details of these themes include the respect of multiple charters on human rights and fundamental freedoms, the fight against terrorism, the fight against weapons of mass destruction, and others. For each theme, these details are further specified in the table found at the end of this chapter.

When we look closer to the proposal which also mentioned the Cotonou Agreement, we see the previously mentioned criteria returning to at least some extent. When discussing the proposed amendments, the European Commission

states to have “[...] analysed the available information, including statistics, on each of the third countries proposed by Member States [...]” and that “[...] particular attention was paid to: the country's level of economic and social development, the risk it poses of irregular immigration to the European Union, external relations issues and regional coherence.”

Once more we can see a return of the development criteria, now divided into two categories: social development and economic development. Furthermore, risks of irregular migration are assessed, as well as possible external relations issues and regional coherence. What this means is more clearly illustrated by the excerpt found below, in which the European Commission explains why five countries are exempted from their visa requirements.

“[Dominica, Grenada, Saint Lucia, Saint Vincent and the Grenadines and Trinidad and Tobago] do not represent any risk of irregular immigration or public order and security to the Member States of the Union in accordance with the criteria set out in recital 5 of the Regulation. Furthermore, these third countries are well-established democracies. They have a good standard of living and a stable, growing economy in the region. They have proved that they are able to face the current global economic crisis and improve their already good relationships with both the Union and the international financial institutions. The 2006 revision of Regulation (EC) No 539/2001 has already transferred four countries located in the same region to the positive list and the waiving of the visa for the citizens of these four countries has not had any negative effect with respect to irregular migration or security. It is accordingly proposed that Dominica, Grenada, Saint Lucia, Saint Vincent and the Grenadines and Trinidad and Tobago be transferred from the negative list to the positive list.”

Notice that, apart from the earlier mentioned criteria of irregular migration, and risk to public order and security of the member states, other criteria are being clarified. The excerpt places emphasis on these countries being “well-established

democracies” which “have a good standard of living and a stable growing economy”. This insinuates that, in order to be eligible for visa exemption, countries need to conform to a European model of democracy, make sure it becomes well-established, and also function properly in economic sense, according to European standards. However, this proposal also introduces a new criteria: adoption of European standards with regard to identity documents. This is shown in the section of this proposal discussing the Pacific Island Nations. Here – in favour of Kiribati, the Marshall Islands, Micronesia, Nauru, Palau, Samoa, the Solomon Islands, Timor-Leste, Tonga, Tuvalu and Vanuatu – it is argued that “[t]he passports issued by these countries are machine-readable and contain a sufficient number of security features. As explained above for the Caribbean Island Nations, the issuing of biometric passports by the Pacific Island Nations should not be a pre-condition for exempting their nationals from the visa obligation.” So, not only do countries need to be well-established democracies who enjoy political stability, high economic development and high social development, peace, strong rule of law, good governance, respect for human rights, and so on. They also need to conform to European standards when it comes to identity documents.

Document security is also a recurring theme in the Visa Liberalization Action Plans (VLAPs), or “White List Project Papers”, for the Eastern Partnership Countries (Albania, Bosnia, Macedonia, Montenegro and Serbia). All of these project papers have the same clause in them:

“The whole process will be divided in four sets of issues to be covered by the dialogue: document security, irregular migration, public order and security as well as external relations items linked to the movement of persons.”

These themes are then further specified into detailed instructions on what has yet to be achieved to become eligible for exemption of visa requirements. These instructions entail not only complying with European standards on document security, establishing cooperation with Interpol, creation of monitoring devices

with regard to migration flows, border security, asylum procedures but also protection of human rights and establishing institutions to do so, invoking new acts and regulations, and so on. These, however, are very detailed, and thus are listed in the table at the end of this chapter under the respected themes.

What goes for the VLAPs for the Eastern Partnership Countries, also goes for the VLAPs for Turkey and Russia. Thus, it seems that we have gathered enough information to produce two lists of criteria: one list with criteria that make countries eligible for exemption of visa requirements, and one list with criteria that make countries more susceptible for subjection to visa requirements. These two lists are juxtapositioned to one another in Table 1, which starts at the next page. However, it must be mentioned that although these two lists are very detailed, they are in no way non-exhaustive.

Furthermore, it appears that full compliance with the criteria that should exempt nationals of a third country from visa requirements does not guarantee that these citizens will in fact be exempted from visa requirements. As described in the VLAPs, fulfilling the requirements set out in the VLAPs will “allow the Commission to make a proposal at the appropriate moment to the Council for the lifting of the visa obligation for [third country] citizens, through an amendment of Council regulation 539/2001[.]” after which, “[o]n the basis of the Commission's proposal, the Council, after consultation of the European Parliament will decide acting by qualified majority”. So, even after a third country manages to comply with the criteria that would exempt its nationals from visa requirements, this exemption is not immediately granted: the proposal for visa exemption has to be backed by the European Parliament, through vote and by qualified majority.

But the opposite also appears to be true: compliance with the criteria that should subject third country nationals to visa requirements does not necessarily lead to subjection to visa requirements. Case in point being Turkey, which, according to the progress report of 2014, only succeeded in reaching 13 of the 72 requirements to be eligible for exemption of visa requirements. The plausibility

that Turkey managed to fulfil the other 59 requirements in full within two years seems unrealistic. The Turkey 2015 Report shows that by November 2015, regardless of the progress, Turkey still had not met every requirement set out in the Visa Liberalization Road Map. Yet, NOS (2015) reported that as from October 2016, Turkish citizens would be able to enjoy visa free travel to the Schengen Area. However, this decision has already been revoked, as on March 8 it was reported that the certainty of visa liberalization for Turkey became more fragile due to Turkey's decreasing compliance with EU standards and on June 20 it was reported that Turkey's hopes for visa liberalization had expired due to the demand of the EU for Turkey to comply with EU anti-terrorism legislation and Turkey's unwillingness to do so (NOS, 2016; Voice of America, 2016). Nonetheless, the offer of visa liberalization as part of a deal for curbing the

arrival of refugees with a third country that has not yet met the benchmarks for visa liberalization is questionable, regardless of the fact that this offer now has been revoked. Thus, it still appears that we have failed in our attempt to make the vague more concrete: even though these criteria are used to assess the eligibility of third countries for exemption of visa requirements, they do not provide the guarantee.

And so, we think back to the previous chapter, which concluded that the list is all but black and white, but also concluded that the CVP does not serve one purpose. The question that we are now left with is: Which purpose is then decisive? And with that question in mind, we advance to the next chapter, which will provide one final attempt to find clarity in obscurity.

Criteria for exemption of visa requirement (Annex II)	Criteria for subjection to visa requirement (Annex I)
<ul style="list-style-type: none"> • Well-established democracy • Political stability <ul style="list-style-type: none"> ○ Good governance of public administration ○ Peace <ul style="list-style-type: none"> ▪ Combat activities that fuel conflict ▪ Reintegration of former combatants ▪ Application of agreed standards and codes of conduct ▪ Mechanisms to prevent, manage and resolve conflicts ▪ Fight against terrorism ▪ Counter proliferation of weapons of mass destruction ○ Democratic principles ○ Strong regional coherence 	<ul style="list-style-type: none"> • Dictatorship/Badly established democracy • Political instability <ul style="list-style-type: none"> ○ Bad governance of public administration ○ War/Conflict <ul style="list-style-type: none"> ▪ Promote/disregard activities that fuel conflict ▪ Disregard former combatants ▪ Violate/disregard agreed standards and codes of conduct ▪ Disregard prevention, management and resolving conflicts ▪ Promote/disregard terrorism ▪ Promote/disregard the proliferation of weapons of mass destruction ○ Disregard/violate democratic principles ○ Weak regional coherence

<ul style="list-style-type: none"> ○ Absence of pressing international relations issues • High economic development <ul style="list-style-type: none"> ○ Poverty reduction ○ High human security ○ No situations of fragility ○ With concern for the environment • High social development • Good public health • Strong rule of law <ul style="list-style-type: none"> ○ Migratory law, governing the movement of people and goods (possibly in line with the principles and best practices of the EU Border Code and Schengen Catalogue) in function <ul style="list-style-type: none"> ▪ Respecting human rights, and combating xenophobia ○ Laws on the stay of aliens and asylum, also for family of third country nationals, stating their rights and obligations in function ○ Cooperation with international conventions on criminal matters ○ Law enforcement cooperation ○ Judicial cooperation ○ Protection of personal data in order ○ <i>Connections with Eurojust (if applicable)</i> ○ Connections with Europol in order ○ Absence of organised crime • Absence irregular migration <ul style="list-style-type: none"> ○ Repatriation of citizens residing irregularly in the territory of the EU ○ National returnee reintegration strategy present ○ Sanctions for facilitating irregular migration present ○ Monitoring Mechanism for migration flow (both legal and irregular) present ○ Bodies responsible for collecting data on migration stocks and 	<ul style="list-style-type: none"> ○ Pressing international relations issues • Low economic development <ul style="list-style-type: none"> ○ (Induce/disregard) poverty ○ Low human security ○ Situations of fragility ○ Disregard environment • Low social development • Bad public health (diseases, etc.) • Weak rule of law <ul style="list-style-type: none"> ○ No migratory law ○ No law on stay of aliens or asylum ○ No cooperation regarding criminal matters ○ No law enforcement cooperation ○ No judicial cooperation ○ No protection of personal data ○ <i>No connections with Eurojust (when applicable)</i> ○ No connections with Interpol ○ Presence/promotion/disregard of organised crime • Presence/disregard/promote irregular migration <ul style="list-style-type: none"> ○ No repatriation of own citizens residing irregularly in the EU ○ No national returnee reintegration strategy ○ Promote/disregard facilitation of irregular migration ○ No monitoring migration flows ○ No working body for data collection on migration stocks and
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<p>flows established</p> <ul style="list-style-type: none"> ○ Policies on expulsion of irregularly residing persons in the territory present ○ Combat (organized) (facilitated) irregular migration ○ Integration policy for migrants, including financial and social support present ○ Curbing irregular migration to the EU ○ Facilitate voluntary return of third country nationals irregularly residing in the territory and willing to return ○ Sufficient infrastructure to deal with irregular migration (including detention centres) present <ul style="list-style-type: none"> ● Strong border controls <ul style="list-style-type: none"> ○ Cooperation with European police forces present ○ Controls functioning in a cross-border manner ○ Legislation governing external border crossing present ○ Efficient infrastructure, IT technology and equipment at external border present ○ Working arrangements with FRONTEX in function ○ Strong cooperation among national entities present ● Strong visa policy <ul style="list-style-type: none"> ○ Visa Information Systems in function ○ Visa issuance at border as an exceptionality ○ Airport Transit Visas instated ○ Impose visa requirements for countries that pose risk of irregular migration to EU ○ Visa Reciprocity ● Strong asylum policy <ul style="list-style-type: none"> ○ Legislation according to international standards and EU legal framework and standards in function ○ Sufficient infrastructure and strengthening of institutions for the benefit of asylum procedures and reception of asylum seekers completed 	<p>flows</p> <ul style="list-style-type: none"> ○ No policies on expulsion of irregularly residing persons ○ Promote/disregard (organized) (facilitated) irregular migration ○ No integration policy for migrants ○ Promote/disregard irregular migration to the EU ○ No facilitation of voluntary return of irregularly residing persons willing to return ○ Insufficient infrastructure to deal with irregular migration <ul style="list-style-type: none"> ● Weak border controls <ul style="list-style-type: none"> ○ No cooperation with European police forces ○ No cross-border controls ○ No legislation governing external border crossing ○ Inefficient/no infrastructure, IT technology and equipment at external border ○ No working arrangements with FRONTEX ○ No/weak cooperation among national entities ● Weak/no visa policy <ul style="list-style-type: none"> ○ No Visa Information Systems ○ Regular issuance of visas at external border ○ No airport transit visa ○ Visa facilitation/no visa requirements for countries that pose risk of irregular migration to the EU ○ No Visa Reciprocity/Visa requirements for EU Member States ● Weak/no asylum policy <ul style="list-style-type: none"> ○ Weak/no legislation on asylum ○ Insufficient/no infrastructure or weak/no institutions for asylum procedures and reception of asylum seekers
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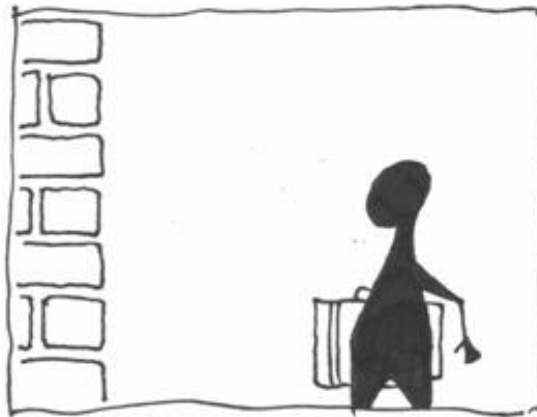
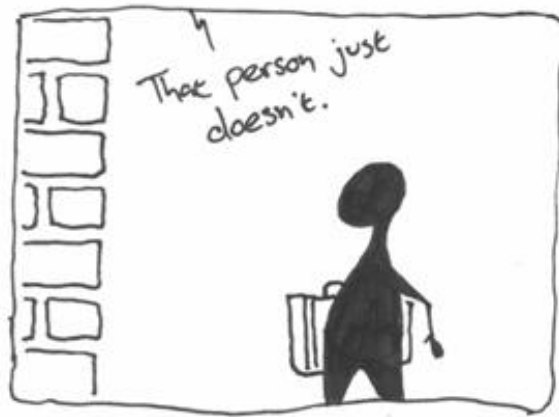
<ul style="list-style-type: none"> • Strong document security <ul style="list-style-type: none"> ○ Biometric identifiers ○ Machine readable ○ Sufficient administrative staff ○ Report to Europol in case ID are lost/stolen ○ Training and ethical codes against corruption for officials ○ Strict procedures regarding issuance of documents • No risk to public order and security of Member States <ul style="list-style-type: none"> ○ Absence of trafficking of human beings ○ Absence of money laundering ○ Absence of financing of terrorism ○ Absence of drug trafficking ○ National Drug Action Plan ○ Absence of corruption ○ Join in the fight against terrorism • Respect for fundamental rights <ul style="list-style-type: none"> ○ Respect for international refugee law and its non-refoulement ○ Respect for the rights and dignity of victims of human trafficking ○ Protection of children ○ Respect for the Universal Declaration of Human Rights ○ 1993 Vienna Convention on Human Rights ○ Covenants on Civil and Political Rights of Economic, Social and Cultural Rights ○ Convention on the Rights of the Child ○ Convention on the Elimination of all forms of Racial Discrimination 	<ul style="list-style-type: none"> • Weak/no document security <ul style="list-style-type: none"> ○ No use of biometric identifiers ○ Not machine readable ○ Insufficient administrative staff ○ No connections with Europol regarding ID loss/theft ○ No/disregard for training and ethical codes against corruption ○ Loose/no procedures regarding issuance of documents • Possible risk for public order and security of Member States <ul style="list-style-type: none"> ○ Promote/disregard/insufficiently battle trafficking of human beings ○ Promote/disregard/insufficiently battle money laundering ○ Promote/disregard/insufficiently battle financing of terrorism ○ Promote/disregard/insufficiently battle drug trafficking ○ No/weak National Drug Action Plan ○ Promote/disregard/insufficiently battle corruption ○ Disregard fight against terrorism • Disregard/violate/promote violation of fundamental rights <ul style="list-style-type: none"> ○ Disregard/violate/promote violation of international refugee law and its non-refoulement ○ Disregard/violate/promote violation of rights and dignity of victims of human trafficking ○ Disregard protection of/threaten children ○ Disregard/violate/promote violation of the Universal Declaration of Human Rights ○ Disregard/violate/promote violation of 1993 Vienna Convention on Human Rights ○ Disregard/violate/promote violation of the Covenants on Civil and Political Rights of Economic, Social and Cultural Rights ○ Disregard/violate/promote violation of the Convention on the Rights of the Child ○ Disregard/violate/promote violation of the Convention on the Elimination of all forms of Racial Discrimination
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<ul style="list-style-type: none"> ○ Convention on the Elimination of all forms of Discrimination against Women ○ 1949 Geneva Conventions and all other forms of international humanitarian law ○ 1954 Convention relating to the status of stateless persons ○ 1951 Convention relating to the Status of Refugees ○ 1967 New York Protocol relating to the Status of Refugees ○ Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe ○ African Charter on Human and Peoples' Rights ○ American Convention on Human Rights ○ Respect for freedom of movement ○ Respect for the EU Convention on Human Rights ○ Absence of discrimination on the basis of: <ul style="list-style-type: none"> ▪ Sex ▪ Race ▪ Colour ▪ Ethnic or social origin ▪ Genetic features ▪ Language ▪ Religion or belief ▪ Political or any other opinion ▪ Membership of a national minority ▪ Property ▪ Birth 	<ul style="list-style-type: none"> ○ Disregard/violate/promote violation of the Convention on the Elimination of all forms of Discrimination against Women ○ Disregard/violate/promote violation of the 1949 Geneva Conventions or any other form of international humanitarian law ○ Disregard/violate/promote violation of the 1954 Convention relating to the status of stateless persons ○ Disregard/violate/promote violation of the 1951 Convention relating to the Status of Refugees ○ Disregard/violate/promote the 1967 New York Protocol relating to the Status of Refugees ○ Disregard/violate/promote violation of the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe ○ Disregard/violate/promote violation of the African Charter on Human and Peoples' Rights ○ Disregard/violate/promote violation of the American Convention on Human Rights ○ Disregard/violate/promote violation of the freedom of movement ○ Disregard/violate/promote violation of the EU Convention on Human Rights ○ Disregard/promote discrimination on the basis of: <ul style="list-style-type: none"> ▪ Sex ▪ Race ▪ Colour ▪ Ethnic or social origin ▪ Genetic features ▪ Language ▪ Religion or belief ▪ Political or any other opinion ▪ Membership of a national minority ▪ Property ▪ Birth
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<ul style="list-style-type: none"> ▪ Disability ▪ Age ▪ Sexual orientation ▪ Or other... <ul style="list-style-type: none"> ○ Access to identity documents for citizens, without discrimination ○ Access to identity documents for refugees, without discrimination ○ Specify conditions of acquiring citizenship ○ Investigating all ethically motivated incidents ○ Ensure the provisions and protection of minorities ○ Enforce protection against discrimination <ul style="list-style-type: none"> • <i>Strong commitment to EU plans/Relationship with EU (if applicable)</i> <ul style="list-style-type: none"> ○ <i>Comply with several EU Conventions</i> <ul style="list-style-type: none"> ▪ <i>Convention Against Trafficking</i> ▪ <i>EU Convention on Human Rights</i> ▪ <i>Convention on Cyber Crime</i> ▪ <i>1980 Hague convention on child abduction</i> ▪ <i>1996 Hague convention on jurisdiction, etc., of parental responsibility</i> ▪ <i>2007 Hague convention on international recovery of child support</i> 	<ul style="list-style-type: none"> ▪ Disability ▪ Age ▪ Sexual orientation ▪ Or other... <ul style="list-style-type: none"> ○ No/limited access to identity documents for citizens, without discrimination ○ No/limited access to identity documents for refugees, without discrimination ○ Unclear conditions on acquiring citizenship ○ Disregard for/no investigation of any ethically motivated incidents ○ Disregard provisions and protection of minorities ○ Disregard enforcement of protection against discrimination <ul style="list-style-type: none"> • <i>No/weak commitment to EU plans/Relationship with EU (if applicable)</i> <ul style="list-style-type: none"> ○ <i>Disregard for any of the following EU Conventions</i> <ul style="list-style-type: none"> ▪ <i>Convention Against Trafficking</i> ▪ <i>EU Convention on Human Rights</i> ▪ <i>Convention on Cyber Crime</i> ▪ <i>1980 Hague convention on child abduction</i> ▪ <i>1996 Hague convention on jurisdiction, etc., of parental responsibility</i> ▪ <i>2007 Hague convention on international recovery of child support</i>
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Table 1 - List of criteria for exemption or subject to visa requirement

Chapter 8 – Discovering Discourses 2: Critical Discourse Analysis



In the previous two chapters, we have established that what appeared to be black and white, in fact is way more complex. Semiotic discourse analysis provided us with an insight to how the EU views the rest of the world, but was inconclusive on what makes the difference between third countries whose nationals are exempted from visa requirements and those who are not. In turn, close reading provided us with two lists of criteria, which are used to assess the eligibility of third countries to exempt their nationals from visa requirements or to subject them to it, but made it clear that complying with either one of the lists guarantees the verdict attached to it.

This chapter will provide the final attempt of this thesis to bring light into the darkness surrounding CVP. To do so, we will attempt to gain insight in how the CVP creates and perpetuates this inequalities. For this purpose, we shall rely on Critical Discourse Analysis, which looks for the maintenance and reproduction of social, political, economic and structural inequities and dominance in relation to the actors involved (Jaipal-Jamani, 2014). The focus of Critical Discourse Analysis lies on the power relations within groups, and how discourse conceals power relations and perpetuates inequalities, in order to legitimize certain ways of doing, or in this case, to legitimize making the division as presented in Annex I and Annex II of Regulation (EC) No539/2001. In order to gain an understanding of how this division is legitimized, we rely on the three questions that Jaipal-Jamani (2014) has provided us for structuring discourse analysis. These are:

- How is the text situated in broader society?
- Which social and institutional conventions are present in the text?
- How are inequalities and power relations perpetuated?

The answers to these questions will provide you with an insight in how CVP functions and is used by the EU. You will find a summary of these findings in the

remainder of this chapter. We shall start off this chapter by examining which actors are involved – or better yet – within the sphere of influence of the CVP.

8.1 Game of Scopes

Normally, when it comes to legal texts and documents, the rules and regulations set out in these texts only apply to the territory of the state invoking them. That is to say, Dutch Law does not apply on German territory, German Law does not apply on Italian territory, and Italian law does not apply on Japanese territory. Of course there could be some overlap between laws and regulations, but that does not mean that foreign laws and regulations apply to other territories.

When it comes to the CVP, similarities can be found with these “normal” laws and regulations. The regulations that constitute the main elements of the CP are adopted by the European Commission on the advice of the European Parliament, both of which can be considered parts of the governing institution of the territory of the EU. The texts of the CVP are destined for the Member States of the EU, in the sense that it sets out a legal framework which they have to abide, for they have had a say in their adoption through the Parliament and the Commission. So in that sense, it functions similarly to “normal” law.

But the CVP is not a “normal” policy in that sense, for it sets out rules and regulations for the Schengen Area. The Schengen Area, although mostly overlapping, encompasses not the same space as the EU: Switzerland, Norway, Iceland and Liechtenstein are part of the Schengen Area, but not of the EU. Examples can also be found for the opposite: the United Kingdom, Ireland, Cyprus, Romania, Bulgaria and Croatia, in turn, are part of the EU, but not of the Schengen Area. Thus, we see that the EU adopts regulations for countries that are not part of the EU. Thus, we can see that the scope of the CVP does not limit itself to the territory of its adopting governmental institution as “normal” law would do.

However, its scope does not end there. Apart from affecting the European Member States and the Schengen States, the CVP expands its scope through its annexes. As discussed before, these annexes stipulate which third country nationals can travel to the Schengen territory without visa requirement and which cannot, including unrecognized territories. The same can be said for the Visa Reciprocity Mechanism, for it creates reciprocity between the Schengen territory and third countries on liberalisation of visa requirements. And so, the scope of the CVP is expanded from the European Member States and the Schengen territory to the rest of the world.

8.2 Game of Scales

So we have established that the CVP has a global scope, encompassing all countries and territories – recognized or unrecognized – in the world. But to recognize the true actors involved in the inequalities that the CVP perpetuates, we also have to look at what scales it operates, and in which manner, to see the implications the CVP could have, directly and indirectly.

Building on the previous section, it can already be assumed that the CVP operates on a global scale: it passes judgement on countries throughout the whole wide world and determines on a global scale which countries are fit to be eligible for visa liberalisation and which are not. However, it also has implications on a supranational scale, for it is adopted by a supranational entity, the EU, and its rules and regulations inform the actions of the collective of member states of the EU as well as the Schengen area, in relation to third countries individually. A prime example of this is the Visa Facilitation Agreement, which is an agreement between the EU and a third country to facilitate travel with visa to and from the Schengen Area. Second to that, the supranational scale is highlighted by the installation of joint committees, as instructed by the Visa Facilitation Agreements, which are responsible for the monitoring and management of the agreements, or political declarations stating

the willingness to enter into bilateral agreements for local border traffic, as shown in the case of the Former Yugoslav Republic of Macedonia and Bulgaria

The implications of the CVP, however, can be felt on even lower scales, for this policy is to be executed by national and regional institutions like embassies and consulates, eventually impacting the local individual in the process: the CVP determines if you as an individual need to apply for a visa for entry. However, this influence appears to be a ripple effect from the decisions made earlier on: the individual itself has no influence in the decision whether or not the state he is a citizen of will be added to Annex I or Annex II of Regulation (EC)

No539/2001. This is again perfectly illustrated by the Visa Facilitation

Agreement: within these agreement, very specific rules are adopted regarding which type of person needs what. These types of persons range from tourists, to refugees fleeing from prosecutions of old communist regimes, from businessmen to cultural entrepreneurs, from school pupils to professional athletes, and so on. Yet these regulations are adopted through agreements between the EU and the government of the third country these people belong to. Additionally, these agreements make distinctions between persons and institutions: for instance, a distinction is made between requirements to be arranged by receiving individuals and organisations. An example of how CVP affects the individual can be found in the European Charter of Human Rights and Fundamental Freedoms, which sets out the rights for every person in the territory of the EU. Interestingly, this Charter is very vague in to whom it applies. At first sight, it appears that this charter only seems to apply to citizens of the EU, i.e. citizens of European Member States. However, we see a change in terminology. Take for instance Article 15, where the word “everyone” is introduced. This implies that the rights and freedoms set out in this charter are to be enjoyed by all people, regardless of nationality. When we turn to Chapter V, which addresses the rights of European Citizens, the need for citizenship of a European Member State seems to be completely eradicated, for here it is stated that the rights previously set out in the charter are not to be enjoyed by citizens of Member States alone. Instead, it

is stated that these rights apply to everyone residing in the area that the EU comprises. But the European Charter on Human Rights and Fundamental Freedoms also hints at CVP being influenced on other scales. In turn, this charter draws from the Charter of the United Nations, the Charter on Universal Human Rights, the Geneva Convention of 1951, the 1967 Protocol relating the Status of Refugees, and Agreement relating to the issue of a travel document to refugees who are the concern of the intergovernmental committee on refugees of 1946. Bearing this in mind, we can assume that the institutions that instate these influencing documents also have a stake in CVP, albeit a minor one.

So, for this section we can conclude that the CVP has many stakeholders. The EU has a stake in CVP. The European Member States have a stake in CVP. Third countries have a stake in CVP. Embassies and consulates have a stake in CVP. Even the businessman from Botswana or the professional javelin-thrower from the United States have a stake in CVP. However, not all of these stakeholders are actors in the production of CVP. Actor implies that one has an active role and possibility to influence the phenomenon. Thus, our list of actors seems to boil down to the EU, with the distinction between the EU, Member States of the EU, the Schengen territory, and third countries, for the decisions are made by these and based on the condition of these.

8.3 Power Play

So we can see that the effects of CVP can be felt on a local scale, all over the world. However, the actors that are involved in making the CVP to what it is are found on a supranational, institutional level. This section will attempt to gain insight in the power relations between these actors, and how these power relations are created and are perpetuated. But before we do so, it will discuss the power that CVP itself emanates, that is to say, discussing its position in informing behaviour.

CVP in Context

Before we will discuss how CVP creates and perpetuates the present power relations and inequalities, it might prove worthwhile to assess what power the CVP itself emanates, that is to say, to assess whether or not it acts in a hegemonic way. As the CVP consists of legal texts and regulations, we may assume that CVP does in fact exert some power itself. For that is what law does, it subjects the inhabitants of the area to which it applies to a certain form of behaviour, and any form of behaviour that is not in line with the law is punishable. Regulation (EC) No539/2001 denominates which countries are absolved of the visa requirement, and which are not. Documents like the EU Visa Code and the Handbook for processing visa applications and the modification of issued visas in regard for operational instructions of the application of the Visa Code give instructions on how and when visas are to be distributed, in terms of costs, requirements, and additional notes on exceptions to the rule, but also what the proper way is to handle applicants in person. Take for instance the additional clauses regarding seafarers, or school pupils, for whom the necessity of a visa may be waived, or the repeated command to treat applicants with respect for their human dignity. These instructions do not limit themselves to the issuers of visas, but set out procedures for the Council, the European Court of Law, the Member States themselves, applicants for visas, and so forth. The power emanating from CVP can be felt in the rigidity of these documents, which for example is illustrated by clauses that are titled as “Definitions”, in which an undisputable definition is given regarding certain terms, like “legally residing person” (shall mean a citizen of the <third country> authorised or entitled to stay for more than 90 days in the territory of a Member State, on the basis of Community or national legislation.), Visa (shall mean an authorisation issued by a Member State or a decision taken by such State which is required with a view to a. entry for an intended stay in that Member State or in several Member States of no more than 90 days in total, and b. entry for transit through the territory of that Member State or several Member States), or 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), but also to terms like “threat to public health” (means any disease with epidemic potential as defined by the International Health Regulations of the World Health Organisation and other infectious diseases or contagious parasitic diseases if they are the subject of protection provisions applying to nationals of the Member States).

When reading through the different texts relating to the CVP, we can see that the CVP exerts power over the Member States of the EU and the Schengen Area, but also over third countries through subjecting them to visa requirements or exempting them from it. However, its power is not necessarily uncontested, for it abides and is influenced by several other treaties. For the main documents of CVP we can see that these are designed to fit within the Treaty on the Functioning of the European Union and the Treaty Establishing a European Community, as well as the Charter of Fundamental Rights of the European Union. Additionally, we can see that Regulation (EC) No539/2001 is designed to comply with the Agreement on the Abolition of Visas for Refugees of April 20, 1959. In turn, when we read through the European legal texts that bind the CVP texts, we can see that even these treaties and charters are informed by other charters and treaties. Examples of these are the Treaty Establishing the European Union which is written with respect for the Charter of the United Nations and the Geneva Convention of 1951.

Thus, we can see that as a legal text, the CVP exerts some power in itself. It holds this power mostly over the European Member States and the Schengen Member States, as well as the third countries mentioned in Annex I and II of Regulation (EC) No539/2001. However, its power is not unrestricted: as demonstrated earlier, we can see that it has to abide to several European Charters and Treaties and international agreements, such as the Treaty establishing a European Community and the Agreement on the Abolition of Visas for Refugees. These in turn are also not unrestricted, for we can see that these

European Charters and Treaties are often formed with respect to other international charters like the Charter on the United Nations. So we can conclude that the power emanating from the CVP is not hegemonic.

CVP: a power tool

Having established that there emanates a certain power from the CVP itself, we now will turn our gaze to how this power is used, and by who. To do so, we shall look at an introduction from the Community Code on Visas:

*“REGULATION (EC) No 810/2009 OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL of 13 July 2009
establishing a Community Code on Visas (Visa Code)*

*THE EUROPEAN PARLIAMENT AND THE COUNCIL OF
THE EUROPEAN UNION,*

*Having regard to the Treaty establishing the European
Community, and in particular Article 62(2)(a) and (b)(ii)
thereof,*

Having regard to the proposal from the Commission,

*Acting in accordance with the procedure laid down in Article
251 of the Treaty (1),*

Whereas:”

Every legal document that is part of the larger body of the CVP starts with similar phrasings like the introductory passage of the Community Code on Visas. Notice that in this case, the regulation is adopted by the European Parliament as well as the European Council, indicating a close cooperation between the two. This implies that the power that emanates from the CVP comes from these two legislative bodies, and the power that emanates from the CVP can be used by

these two legislative bodies. Also note that the regulation is adopted on the basis of a proposal made by the European Commission, implying that they too have a role in creating the CVP and the power that emanates from it.

Now, the Community Code on Visas is somewhat different from the other regulations, in the sense that both the Council and the Parliament have adopted this regulation. In many other cases, like Regulation (EC) No539/2001, the regulation is adopted by the Council alone, but with regard for the opinion of the Parliament, meaning that the European Parliament has voted on the proposal for this regulation, and that a qualified majority voted in favour of adopting this regulation. Now, this would make it seem that these three legislative bodies (the Commission, the Council and the Parliament) are unrestricted in what they adopt for regulations, but when we look closer the above given excerpt, we can see that this is not the case. This is demonstrated by the phrase “*Acting in accordance with the procedure laid down in Article 251 of the Treaty (1)*”, referring to the Treaty establishing the European Community. Thus, although these legislative bodies adopt these regulations and treaties, they are also bound by these adopted regulations and treaties. Another example of this can be found in the Explanatory Memorandum of the Proposal on Regulation (EC) No539/2001. Here, it is stated that the predecessor of Regulation (EC) No539/2001 was adopted while acting on Article 100c of presumably the Treaty on the European Community, but that this was annulled by the European Court of Law. Furthermore, it is explained that the need for the new regulation stems from the entry into force of the Amsterdam Treaty.

Thus, we can see that there is no single locus of power in making legislations: the codes, regulations and treaties that are linked to the CVP are all products of careful negotiation between these different legislative bodies, which in turn might also be influenced by other entities like lobby organizations, corporations, NGO's, etcetera. The CVP is made by a proposal drafted by the Commission, which is put to a vote in the European Parliament, and adopted by the European

Council if the Parliament votes in favour for the proposal by qualified majority. Curiously, as it turns out, not all stakeholders are represented in the process of adopting the regulation (e.g. representatives of the third countries the CVP affects).

Member States

As the CVP is a legally binding document, it binds the Member States to a certain form of behaviour. An example of this is given in the EU Visa Code, in which Member States are stated to be obligated to be present or represented in all third countries whose nationals are subjected to visa requirements. Another example of the EU Visa Code can be found in Article 49, with regard to the Olympic Games:

“Article 49

Arrangements in relation to the Olympic Games and Paralympic Games

Member States hosting the Olympic Games and Paralympic Games shall apply the specific procedures and conditions facilitating the issuing of visas set out in Annex XI.”

Once more, we see the appropriate behaviour for Member States defined by the EU Visa Code: Member States will apply specific procedures and conditions for the facilitation of visas with regard to the Olympic and Paralympic Games, to conform to the behaviour requested by the CVP. Other examples include regulations like Title IV of the EU Visa Code, which contains several requirements to be fulfilled by Member States, or – if this requirement is not met yet – enforcement of endeavours to be made by the Member States in order to meet the requirements. Furthermore, it provides guidelines to be used when Member States seek cooperation with commercial intermediaries to facilitate visa issuing, and how data must be collected and stored in order to retain a view on

visa related issues, as well as what data is to be communicated to the public. The list of issues on which CVP prescribes certain rules to its Member States goes on and on, and is too long to write down in full detail, but it may be clear that the CVP does exercise power over EU and Schengen Member States.

The power emanating from CVP appears to empower the governing institutions of the EU. This can be seen in the introductory passages of most of the regulations relating to CVP. These introductory passages show us the institutions involved in making the decision, the decision being the adoption of a regulation, decision making itself being an indicator of having power. The adoption of a regulation is done by the European Parliament and the European Council, which indicates a cooperation between those bodies of influence. Furthermore, many of these regulations are adopted whilst having regard to different European Treaties, as well as the proposal of the Commission, and while acting in accordance with the laid down procedures. Regulations are not always adopted by a cooperation between the Parliament and the Council, but are never adopted without having regard to the opinions of either one, as well as the constituting treaties regarding the EU. However, the treaties constituting the EU are not the only treaties that are of influence regarding decisions. Other treaties include the Treaty on the United Nations, and the Charter on Universal Human Rights. Furthermore, many of the regulations are amended at some point. This is indicated by a section which states which regulations or decisions amended the regulation in case. Adding to this is the section that follows on the “whereas:” displayed in the given citation, listing other phenomena that are of relevant influence on the decision that is made. These often include phenomena like councils held throughout the years, findings of different researches, current events, but also different positions that different states take regarding the decision in question, often related to the fact that some states are part of the EU, but not of the Schengen Area. Thus, we see that CVP holds power over the Member States of the EU, and that this power is in the hands of the EU. Yet, this power seems not completely unrestricted.

Earlier, we also discussed that the CVP exercises power on different scales. Examples of this can be found in the EU Visa Code. Here, it exercises its power over nationals of the Member States, more specifically, the employees of the embassies and consulates. Take for instance, Chapters III to VII of the EU Visa Code. These chapters show detailed rules regarding issues like how visas are to be evaluated, what repercussions are to be expected when consulates prove to be incompetent to evaluate applications, but also on issues like how to affix a visa sticker.

Yet, there also seems to be some power held by Member States of the EU, and Member States of the Schengen Area. This is demonstrated by the inclusion of different clauses regarding EU Member States not part of Schengen, in which the option to opt out of these Schengen related regulations is included, but it is strongly advised and requested that these states opt in. This grants these Member States that are not part of the EU a little bit more sovereignty with regard to the CVP regulations. This does not mean, however, that the Member States that are part of the Schengen Area are fully bound to the CVP. They do in fact still possess some autonomy with regard to the CVP. This autonomy can be seen when reading carefully through documents like Regulation (EC) No539/2001. Take for instance Article 4:

“Article 4

1. A Member State may provide for exceptions from the visa requirement provided for by Article 1(1) or from the exemption from the visa requirement provided for by Article 1(2) as regards:

(a) holders of diplomatic passports, service/official passports or special passports in accordance with one of the procedures laid down in Articles 1(1) and 2(1) of Regulation (EC) No 789/2001 of 24 April 2001 reserving to the Council implementing powers with regard to

certain detailed provisions and practical procedures for examining visa applications (1).

(b) civilian air and sea crew;

(c) the flight crew and attendants on emergency or rescue flights and other helpers in the event of disaster or accident;

(d) the civilian crew of ships navigating in international waters;

(e) the holders of laissez-passer issued by some intergovernmental international organisations to their officials.”

Although most of Regulation (EC) No539/2001 is binding for Member States, in Article 4 we find an example in which the Member State is not legally bound to do anything. Notice how, when it comes to visa requirements as stipulated by Article 1 (referring to Annex I) and Article 2 (referring to Annex II), Member States *may* provide exceptions to the rule. Member States *may* also exempt third country nationals from visa requirements for humanitarian reasons. Thus, Member States still maintain some sovereignty with regard to the CVP. Another example of this sovereignty is that the CVP does not affect the competence of Member States to recognize states, territorial units, and passports, travel documents and identity documents issued by the authorities linked to these states and territorial units. Thus we can see that the CVP does not command Member States which states and territorial units are to be recognized, they are free to do so themselves. However, differing from the commonly recognized list of acknowledged states and territorial units, and passports, travel documents and identity documents issued by the authorities linked to these states and territorial units might provide tensions between Member States themselves.

Lastly, the power emanating from the CVP appears to be divided unequally. Earlier on, reference was made towards the provisions made for the Olympic Games. Note that the specific procedures and conditions facilitating the issuing

of visas, set out in Annex XI of the EU Visa Code, only applies to the hosting Member State and members of the Olympic Family. In other words, members of the Olympic Family get a special treatment. However, inequalities in power are not always shown in terms of granting special treatment. It can also be seen in the determination of responsibilities. Responsibility can be seen as a form of subjectification, as one is made responsible for a certain issue. That responsibility can lead to power inequalities is shown by the Dublin II regulation on Asylum. Chapter III sets out the criteria on which responsibility is determined, with a clear statement that these criteria are to be applied in the order that they are featured. This draws attention to paragraph 1 of article 10, which states that in the case of irregular entry of asylum seekers – if proven that this is the case – the Member State thus entered shall be responsible for his or her asylum application. This would be an equally distributed responsibility, if not for the geographical inequalities present in the EU. What is meant by this, is that some Member States are more likely to be subjected to the responsibility set out in this paragraph than others. Italy has a much bigger chance to be a country through which undocumented migrants enter the space of the EU than for instance the Czech Republic, the reason for this being that the Czech Republic is continentally locked in between other Member States (in this case, “continentally locked in between” is meant as to state that the country is locked in by land mass, or in other words, there is no vast body of water separating it from other countries). A similar argument could be made for Sweden, but in this case, the argument is not that Sweden is continentally locked in between other Member States (as it is situated at the coast of the Baltic Sea), but that the likelihood that undocumented migrants enter the territory of the EU through Sweden is almost zero.

Third countries

Thus, we have established that although the CVP does hold some power over EU Member States and Schengen Member States, this power is not absolute: Member States still maintain some autonomy in the exercitation of CVP. When

looking at the third countries however, we can see that the CVP also exercises power over them. However, this power seems a lot more authoritarian. Take notice of this excerpt from Regulation (EC) No539/2001:

“The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating to irregular immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity.”

Notice that there is no reference to negotiations with these third countries: they are subjected to the verdict of the EU, their assessment will determine whether or not third country nationals will require visas to enter, the decision is theirs. Thus, the EU imposes law on third countries. However, there are other ways the CVP exercises power over third countries.

This can be seen in the Visa Reciprocity Mechanism. The Visa Reciprocity Mechanism comes into action when a third country (re)introduces visa requirements for citizens of one or more Schengen Member States. In response to this and following the procedures of the Visa Reciprocity Mechanism, all Schengen Member States will impose visa requirements for the third country in question. Thus, we can see a response that some would describe as “ganging up on someone”: whatever the reason may be, if a third country imposes visa requirements for one Schengen Member State, all Schengen Member States will impose visa requirements on the third country. The power of the group is used to force the third country to retract its imposition of visa requirements.

But, perhaps the most interesting way the CVP exercises power can be found in the Visa Facilitation Agreements and Visa Liberalisation, where exceptions to the rule are made. The Visa Facilitation Agreements loosen up the legal framework

by waiving certain requirements or fees, for certain categories of people. First let us look how the Visa Facilitation Agreements appear to exercise power over third countries. For this we look at the introductory passages that lay down the foundations on which the agreement is built. The introductory passages all have a lot in common, but some statements give a way hints of exercising power. First, note that often is stated that facilitation of visa issuing is intended to improve people-to-people contact, as an important condition for a steady development of economic, humanitarian, cultural, scientific and other ties. This appears to be an extended hand towards the third countries, but may also very well be an imposition of norms and values. The Visa Facilitation Agreement with the Former Yugoslav Republic of Macedonia (FYROM), in which one of the introductory passages that explain the foundation on which the Visa Facilitation Agreement was built states that the EU recognizes the progress made by the FYROM in the area of justice, freedom and security, and in particular on migration, visa policy, border management and on document security. Note that the creed of the EU is that it is an area of freedom, security and justice. The fact that this phrase refers to progress also implies that there is a scale to measure this on, a scale most likely produced by the European government, as it is their statement that the FYROM has made said progress. Furthermore, several documents hint at ongoing negotiations between the EU and these third countries. The Facilitation Agreement with Moldova refers to an existing Moldova-EU ENP Action Plan, a plan to incorporate Moldova into the European Neighbourhood Project. This makes it seem that the Visa Facilitation Agreement is meant to improve the relationship between these countries, possibly improving the odds of success of the Moldova-EU ENP Action Plan. Thus, it can be noted that it is very well possible that power is not only exercised by legal force through CVP, but that making exceptions to the rule may also function as a powerful tool of soft power in other fields, like ideology, or economic, cultural or scientific exchange, or conforming to European interests.

But the most interesting phrase in the Visa Facilitation Agreements may be found in the phrase with regard to improving people-to-people contact, in which we may finally find the true force behind which third country nationals do get exempted from visa requirements, and which do not. We discussed this phrase briefly in the previous paragraph, but for this part, we shall need the full phrase. The phrase is cited below:

“DESIRING, as a first concrete step towards the visa-free travel regime, to facilitate people-to-people contacts as an important condition for the steady development of economic, humanitarian, cultural, scientific and other ties, by facilitating the issuing of visas to citizens of [the third country in question]”

Notice that the passage starts with “desiring”, fully in capital letters. This passage of the Visa Facilitation Agreements expresses the desire of the EU: to continue developing economic ties, humanitarian ties, cultural ties, scientific ties, and any other ties. Annex II of Regulation (EC) No539/2001 imposes visa requirements on 135 third countries and territories, yet there are only 12 Visa Facilitation Agreements. This implies that extending the hand of Visa Facilitation Agreements is not just done for any country: it appears that the EU seeks out to gain from this extended hand of visa facilitation.

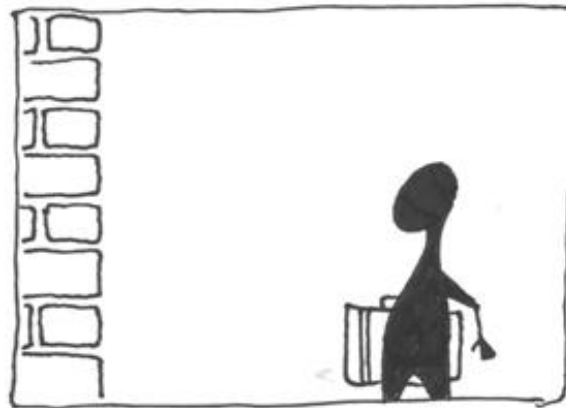
This assumption seems to be strengthened by the recent visa liberalisation of Turkey. By November 2015 Turkey was still far from fit to be eligible for visa liberalisation, as stated in the progress reports. Yet, as the NOS (2015) reported, it appeared that as from October 2016, Turkish citizens would be free to travel to the Schengen Area without a visa. How did Turkey manage to be liberated from visa requirements so fast? The visa liberalisation was part of a package deal: Turkey received visa liberalisation, along with six billion euro, in return for keeping refugees away from the EU. The carefully formulated list of benchmarks was wiped from the table and was forgotten to make Turkey do what the EU wants Turkey to do: keep the refugees at bay. However, the EU appeared to

quickly pull back from this deal according to later reports of the NOS (2016) and Voice of America (2016), arguing that even though visa liberalisation was promised, Turkey still needed to fulfil the benchmarks set earlier. This could once more point to the purpose of spreading “European ideology”, as described earlier on, with the Turkish response being an angry one, demanding that the EU meets its commitment to the previously acknowledged deal.

So it appears that if you – as a third country – would want to be exempted from visa requirements, you better bring something to the table, something that the EU can gain from, be it visa free travel for EU citizens, adoption of the EU ideology and commitment to the EU, stimulus for the EU economic environment or providing favours for the EU.

When we look back at the chapter discussion semiotic discourse analysis, it appears that subjection to visa requirements is mostly practiced on the basis of images, perceptions and assumptions that third countries are a threat to the inhabitants of the Schengen Area. Close-reading showed us the criteria which are used to subject or exempt third countries from visa requirements, relating closely to the images, perceptions and assumptions that flowed forth from semiotic discourse analysis. But as critical discourse analysis showed us, when it comes to exemption, the decision to liberate third countries from their visa requirements appears to be less influenced by images, perceptions and assumptions, and more influenced by EU interests and politics.

Chapter 9 – The wrap up



And so we arrive at the concluding chapter of this thesis. At the start of this thesis, we sketched what was happening at the border, with the refugee crisis. We saw the arrival of large numbers of irregular migrants, and clarified who these people are. We determined that irregular migration is inherently tied with the lack of or fraudulent acquisition of visas. We saw that these people come from the most tormented places on earth, and we saw that these places on earth are shut down to the rest of the world on a global scale through visa policies all over the world. And thus the question rose:

Why do we impose visa requirements on these countries and not others? Why do we impose visa requirements on any country?

To answer this question for Europe specifically, we have turned our gaze to the CVP, conceptualized it through theories from border studies and dug through the online archives and legal texts to establish on which foundations the CVP is built. We saw that the CVP shows clear signs of a border, and established that the why of the border is an ongoing battle between the schizoid desire and the paranoid desire: the first wishing to estrange oneself from the self, to extend oneself to the stranger and to lose order, and the second being the desire to regain order, and to not experience total chaotic freedom. Being mental processes, we assumed that signs of the paranoid and schizoid desire may be found in the discourse of people, and additionally, we established that with regard to the border, an ongoing discussion of justice is fought.

To discover these desires, and to find out why we impose visa requirements on some countries and not others, the body of data was subjected to Semiotic Discourse Analysis, which attempted to find meaning within these legal texts, to find the reasons for the existence of the CVP and what it says about you when you are on Annex I, which subjects your nationality to visa requirements, or Annex II which liberates you from it. At first, the CVP appeared to be a black and white list which served the purpose of protecting the inhabitants of the Schengen Area from external dangers to their public order, internal security and

public health. Yet, when we started digging deeper, this black and white list was not a clear division between yes and no, instead, there appeared to be many different shading between the two that also applied. Additionally, we also saw that the CVP – which seemed to exist to protect people – also served other purposes like providing economic growth. And so, Semiotic Discourse Analysis provided us with the insight that what seemed to be clear, was actually vague, leaving the question of why we impose visa requirements on countries unanswered.

So, in an attempt to clarify the vague, we subjected the explanatory memorandums of amendments to Annex I and II, Visa Liberalisation Action Plans, and the Cotonou Agreement to an exercise of close reading, for we determined from the previous section that the division of Annex I and II was made on the basis of a case-by-case assessment of countries while looking at criteria linked *inter alia* to irregular migration, public policy and security. This close reading exercise resulted in an extensive, yet non-exhaustive list of criteria which would make a country eligible to be exempted from visa requirements, or subjected to these visa requirements. Yet, these lists still did not provide a guarantee, for when a country complies with the criteria that would make a country eligible for exemption of visa requirements, this exemption still has to be granted through qualified majority in the European Parliament. But the opposite also seemed to ring true: not complying with the list does not guarantee a country to be subjected to visa requirements. Case in point being Turkey: which by November 2015 still did not fit the set out requirements in their Visa Liberalisation Road Map, but seemed to be exempted from their visa requirements, the exemption coming into force by October 2016, with the prospect of exemption being revoked again early 2016. And so, the question of why still remained unanswered.

And thus, one final attempt was made to make sense of the still insensible. To do so, we relied on Critical Discourse Analysis to gain insight in the power relations

linked to the CVP, and how hierarchies and inequalities were perpetuated by it. We saw that the CVP affects nations as well as individuals, with a global scope. We saw that the CVP exerts power over the EU and Schengen Member States, as well as third countries, and that in relation to each other and the CVP, the Member States enjoy a more autonomous position when it comes to making decisions. But we also established how the CVP is used as a means of soft power, a means of persuasion and a tool for gain used by the EU. This was shown in the Visa Facilitation Agreements, which forge bonds between the EU and third countries, where the suspicion rose that these agreements only exist because the EU senses some form of gain to be had. The visa liberalisation of Turkey seemed to confirm this suspicion, for Turkey did not fit the requirements set out by the EU to be eligible for visa liberalisation, yet they are liberated from the requirement in return for them holding back the number of arrivals of refugees to Europe. And so it seems that the image we first glanced upon appears to be a façade: a policy that is presented as a protection measure in favour of the inhabitants of the Schengen Area, turns out to be also functioning as a geopolitical power tool, used to generate growth for the EU, or to persuade third countries to do the bidding of the EU.

When we link this back to the conceptual framework, we can determine a couple of things. Regarding the b/ordering aspects of the CVP, earlier on it was already described how the CVP could be seen as a border. When glancing at the analysis, the b/ordering aspect of CVP becomes more concrete. First, a clear demarcation of territory is provided (the EU and the Schengen Area), a territory that belongs to the “us”. This is demonstrative of the process of bordering. A clear definition is given in terms of the “us” and the “other”, the “us” being Schengen and EU Member States and the “other” being every other third country. with some being more “other” than others, through which the process of “othering” is demonstrated. Lastly, this territory is governed by the Member States themselves as well as the EU, applying an order to the territory, and through this the process of “ordering” can be seen.

Within theory, it is also mentioned that the guidelines regarding the determination of the “us” and the “other” are often informed by some kind of social elite. These could be political power holders, religious power holders, etcetera. Regarding the CVP, this certainly seems the case. The analysis shows that CVP is constituted by collaborative effort of the European Council, the European Parliament and the Commission, and in the previous indention, we saw that CVP does possess b/ordering qualities.

As regards to the why of the border, and as shown in the theoretic framework, b/ordering is informed by a paranoid or schizoid desire or fear. These in turn are vested within the discourse of a person or group. When looking at the analysis, clear indications can be found of schizoid desire, the desire to be free of borders, to estrange one’s self and to find the “other”, but also of the paranoid desire, to remain within order, to not experience total chaotic freedom. Here is where it gets interesting: the paranoid and schizoid features of CVP are informed by different factors. Regarding the paranoid desire it can be established that it holds considerable power in the formation of CVP. It attempts to block the other out, through imposition of visa requirements on several nationalities. But perhaps paranoid fear is a better word, for it blocks people out on the basis of an assumption, the assumption being that based on the conditions of one’s motherland, one’s behaviour is influenced. Thus, people from unstable, war-torn or corrupt countries are more likely to be unstable, violent or corrupt themselves, while people from stable countries with peace are less of a risk. Fear of the Nomad, the personification of the schizoid desire, he/she who wants to estrange oneself and to be free of borders, seems to reign supreme in forming the CVP. And thus, out of fear of the other and what he/she might be, the other is held at bay, creating spaces of waiting. And in these spaces of waiting they remain, until it is determined that they do not seem to pose a threat to the “us”.

The paranoid fear seems to be omnipresent, yet not completely dominant, for we see a representation of the schizoid desire as well, the will to extend to the

other and to get to know him, illustrated by the colour green, the countries that do not need a visa to enter the Schengen territory. This schizoid desire, however, takes on a strange form, and seems to be twisted. Extension to the other seems to be motivated by prospects of gain, be it economically, culturally, scientifically, or any other form of gain. This is shown in the Visa Facilitation Agreements. Yet, in these regulations that seem to extend a hand to the other, that seem to express schizoid desire, we can once again find evidence of paranoid desire. The schizoid desire becomes deformed, corrupted from the inside, for what appears to be an extended hand to the other, soon looks more like a clenching fist, exercising power over the other and imposing once more the familiar order that the paranoid desire holds so high in regard. The briefly expressed interest in the stranger is followed by the imposition of the European norm, and pressure to conform to these norms, as demonstrated by the carefully outlined benchmarks in the Visa Liberalisation Action Plans and the Cotonou Agreement, as well as the mentioning of progress made by Visa Facilitation Agreement countries in conforming to the ideal of an area of freedom, security and justice, and of course, the visa liberalisation of Turkey, as a trade-off for doing what the EU wants them to do, reduce the number of arrivals of refugees, and thus imposing their norm, their will, on Turkey. Within CVP, the Monad reigns supreme.

9.1 Limitations of this research

This Monadic dominance is, however, not free from scrutiny. It gives rise to a number of paradoxes that contest its integrity. But before we come to that, it has to be said that this thesis is not without its limitations. First, it must be noted that the implications of this thesis can only be attributed to the CVP, thus it has to be said that what goes for the CVP, does not necessarily go for any other visa policy.

Secondly, it must be noted that the CVP is not the only visa policy applicable to the Schengen Area. The Common Visa Policy, applying to the common area of

the Schengen area, only sets out rules and guidelines for short-stay-visas, i.e. visas that grant access and stay for up to three months. Visas that grant longer stay are still issued by the Member States themselves, and thus, what goes for the EU, does not necessarily go for every member state. After all, as we established in the previous chapters, the CVP is a product of negotiation, and thus is a sum of parts of different discourses.

Thirdly, this research has focussed on a fairly recently developed visa policy, yet, as we know, visas have been around for quite some time now. Researching the very first visa policies or regulations that have a similar nature might give us insight in why we have visa policies in the first place.

Fourthly, this thesis provides implications, not hard truths. Surely, I stand by my research, but the suspicions that rose from this research are hard to confirm, for it would require EU officials confessing to these practices.

Fifthly, the CVP is only one measure in a far broader field of policies regarding the EU's attempt to control and manage migration. Other policies that are relevant are policies relating to external border controls, immigration policies, and policies on asylum, subsidiary protection and temporary protection.

Sixthly, as described in the foreword, we live in turbulent times. This research had to be revised a couple of times during the process, due to changes in the situation. It may very well be that in the near future, something else will change, rendering this thesis no longer fully applicable to the situation. This must be beared in mind.

And lastly, the CVP actually constructs two walls: the first being the imposition of visa requirements, and the second being the actual application for a visa. When looking at the Visa Application Form, the disclaimer sets out a very interesting set of declarations, to be made by the applicant. These include awareness of delivering biometric and personal data, and awareness of what will

be done with these, including the entry of those into the Visa Information System, a tool used to exercise border control. One cannot get a visa, whilst not conforming to these rules, thus, if one wishes entry to the Schengen territory, one must subject him or herself to these procedures. Further research to this, and any other theme mentioned in this section, might provide interesting, additional insights.

9.2 A paradoxal policy

Now that we have established the limitations of this research, we shall discuss some of the paradoxes present in the CVP. I started off my thesis with a quote from Hunter S. Thompson, which read:

“... so we shall let the reader answer this question for himself: who is the happier man, he who has braved the storm of life and lived or he who has stayed securely on shore and merely existed?”

But what of those who braved the storm of life and perished? What of those to whom staying on shore meant not merely existing, but waiting for death?

It has been determined that the discourse behind the CVP is a discourse of fear, but not just any fear: fear of the other, fear of the stranger. Stranger, in Greek: Xenos; and fear, in Greek: Phobia. A discourse of xenophobia.

Now let us look into some of the paradoxes present in the CVP. We start off with its presented goal: to protect the people inside the Schengen area. Let us – just for a minute – assume that the presented goal of the CVP is its true purpose. Now, that in a sense is an amiable goal: who could object to setting a goal of protecting people? However, we must never forget about the costs. At what cost do we protect ourselves? As Van Houtum (2010) put it:

“So, before the gate will finally be shut for us then, the question constantly begs our attention what we are waiting for all our lives.

At what price for ourselves and others. And whether in the end that justifies the waiting.”

Paradox 1: Confinement to Condemnation

What price do we ask others to pay for our security? And does our security justify that price? While still assuming that the initial goal is to protect the inhabitants of the Schengen area, let us make another assumption, by means of a thought experiment. Let us also assume that the criteria list given in the chapter on close reading is final in making the decision to subject people to visa requirements. When we take a closer look at this list, the criteria of subjection include unstable or oppressive governments, war, terrorism, disease, and bad economy, among others. In the phenomenological framework, we already established that the largest contributors to refugee crisis Europe is facing come from three countries which are also listed in the Top 10 Refugee-producing Countries. Additionally, we saw that these three countries were also ranked among the five countries most restricted in international movement through visa policy.

The question that rose to mind was why we insist on limiting these countries in their movements, which gave rise to the criteria list mentioned before.

Now, to continue the thought experiment, I took the liberty to gather reasons to flee from some of the clients of “ASKV/Steunpunt Vluchtelingen”. These stories can be found in Appendix 3. I then cross referenced these with the list of criteria used in determining visa exemption or subjection. The result of this cross reference can be found in Appendix 4, and paints a dark and troubling image:

Some of the criteria that are used to submit third country nationals to the visa requirement are also the reasons why people flee their country.

One can easily spot the perverse implications of this: those who are lucky enough to be born in a peaceful, stable country may leave their country freely and

unhindered, but those who are not so lucky are confined to the heaps of misery they want to escape. Or even worse, those who want to escape the violations that they are forced to experience due to the geographical location of their birth are a threat, while those who enjoy the silver spoon are not. It is hard not to see the ethical tension of these implications. People that live in horrible places are likely to flee, but on the basis of what makes these places horrible, we impose visa requirements, thus confining these people to these spaces of condemnation.

Paradox 2: Law acting against law

Now, the confinement to condemnation in itself is already an ethical issue in itself. Let us continue to perform thought experiments. Forget – for a minute – that these places are horrible, and be once again a bit more objective. Now let us turn our eye to the Treaty on the Functioning of the EU, and in particular Title V, Chapter 1, Article 67, section 3:

“The Union shall endeavour to ensure a high level of security through measures to prevent and combat crime, racism and xenophobia, and through measures for coordination and cooperation between police and judicial authorities and other competent authorities, as well as through the mutual recognition of judgments in criminal matters and, if necessary, through the approximation of criminal laws.”

It appears that the EU has started a crusade against intolerance. Yet, as this research shows, the narrative of the CVP is fuelled by fear of what is strange, by xenophobia. This leaves us to wonder whether or not the EU even realizes the presence of this fear within their own ranks. It leaves us to wonder if the EU realizes they are breaking with their own treaties by not resolving this very particular form of xenophobia. Does the CVP do justice to the idea of Europe as we imagined it from the start?

However, the presence of xenophobia is not the only thing that is controversial within the CVP. Let us look into a more concrete practice. The EU states that the lists produced in Annex I and II of Regulation (EC) No539/2001 are the result of a case-by-case assessment of criteria linked *inter alia* to irregular migration, public policy and security in said countries. Now let us look at the following excerpt:

“1. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.
2. Within the scope of application of the Treaties and without prejudice to any of their specific provisions, any discrimination on grounds of nationality shall be prohibited.”

Article 21, regarding Non-Discrimination,
Charter of Fundamental Rights of the European Union, 2012

When we look at the excerpt above, we can see a problem emerging. Take note of section 2 of Article 21 of the Charter of Fundamental Rights of the European Union. The EU clearly prohibits the discrimination of people on the grounds of nationality. Yet, when we look at the CVP, it CVP imposes visa requirements on individuals based on their nationality. Thus, it seems that the distinction made in the CVP by the EU violates the Charter of Fundamental Rights of the very same EU. The first paradox of the CVP is that through the CVP, the EU violates their own Charter of Fundamental Rights.

But this is not the only area where ethical tensions arise with regard to the so taken-for-granted Common Visa Policy. In the introduction of this thesis the common denominator of the boat refugees was determined: all these boat refugees, these so called irregular or undocumented migrants, lack one thing:

permission to enter the territory of Schengen, permission that is granted through visa. Now let us turn our gaze to the following articles of the Universal Declaration of Human Rights:

“Article 13.

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14.

(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.”

When discussing these articles, Article 13 is often referred to as an “incomplete human right”. It is called an “incomplete human right”, because it states that even though everyone has the right to leave any country, there is no clause that states that everyone also has the right to enter any country. That is to say, that everyone has the right to enter any country with any reason whatsoever. However, there appears to be an exception: Article 14. Here it is stated that everyone has the right to seek and to enjoy in other countries asylum from persecution, even though this right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations. People have the right to seek and enjoy asylum in any other country, and European law dictates that one should apply for asylum on the territory of Member States. Consequently, one could argue that with Article 14 and the current state of EU law, Article 13 becomes a little more complete: people have the right to seek asylum, which

they need to apply for on European soil, and thus, they have the right to enter the territory of the EU. So, denying access to that soil for asylum purposes can be seen as denying access to a Universal Human Right. Of course, this reasoning is not without its limits, it is not hard to imagine that the argument used to derogate from Article 13 can be used to derogate from Article 14 as well: It is not stated that the EU specifically has to process the asylum applications of people entering, these migrants can try other countries as well. One can argue that this is not in the spirit of the United Nations, but nevertheless, the argument could be used this way, and thus, a loophole will remain. However, this loophole may be plagued by the following excerpt:

“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.”

Article 2 of the Universal Declaration of Human Rights, 2015

Once more we see the proclamation that everyone on earth is entitled to the enjoy the rights set out in the Universal Declaration of Human Rights, and may not be hindered in this enjoyment on the basis of any kind, including nationality, and the political, jurisdictional or international status of the country or territory to which a person belongs, be it independent, trust, non-self-governing or under any other limitation of sovereignty. Earlier we saw that the CVP acts against the principles set out by the EU themselves, as well as the principles set out by the Universal Declaration of Human Rights in terms of discriminating on the basis of nationality. But now we see that also the way the EU discriminates on the basis

of nationality becomes under siege, by Article 2 of the Universal Declaration of Human Rights.

Let us remain in our thought experiment, and add another thought, the thought that the list of criteria set out in the close reading chapter is final. In this list, we see that countries are weighed on a scale of political system and stability, conflict, rule of law, and so forth. Yet, Article 2 of the Universal Declaration of Human Rights states specifically that no distinction may be made on the basis of political, jurisdictional or international status of the country or territory to which a person belongs, in any case. And so we see that the CVP is not only violating the very principles the EU preaches to the world, but also actively and consciously acts against the Universal Declaration of Human Rights.

Thus it can be seen that distinguishing on the basis of one's nationality is prohibited, not only by the Universal Declaration of Human rights, but by the Charter of Fundamental Rights of the European Union as well. The EU appears to act in violation of their own moral framework, by making nationality the leading factor in subjecting people to visa requirements or not.

So, the whole praxis of instating visa requirements may be viewed as unjust, as long as Member States refuse to make use of the humanitarian clauses within the CVP. Additionally, we see that the way the distinction is made between people is a complete violation of Article 2 of the Universal Declaration of Human Rights, and we see a law violating laws.

Paradox 3: Democracy acting against democracy

For the third paradox, we may leave the thought experiment for a while, for the third paradox is dedicated to the ideology of the EU. Drawing from the research, we can establish that the EU appears to hold the democratic principles in high regard. Not only is this demonstrated by the way they form their policies, through negotiation and voting, and only accepting regulations when a qualified majority accepts the proposal for the regulation, but also in the criteria we

derived from the Cotonou Agreement, the amendments made to Regulation (EC) No539/2001 and the VLAPs.

When looking up “democracy” in the Oxford Dictionary, we see a variety of definitions. Definitions include “a system of government by the whole population or all the eligible members of a state, typically through elected representatives”, “a state governed under democracy”, “control of an organization or group by majority of its members” and “the practice or principles of social equality”. The Oxford Learner’s Dictionary provides some additional adds another definition, namely “fair and equal treatment of everyone in an organization, etc., and their right to take part in making decisions”. Oxford Reference (2016) describes democracy as “a political system that allows the citizens to participate in political decision-making, or to elect representatives to government bodies”. The key feature of democracy is that the people may take part in making political decisions, either through voting for representatives of their own or directly. The reason for this is to allow people to have a say in the formation of policies that may affect them, and thus to have a chance to block certain actions of the government that might harm them.

This brings forth the third paradox: we have established that the CVP has a global reach, affecting individuals. Yet, according to the principles of democracy, when a policy affects people, they should have a vote in the adoption of this policy. However, nowhere any trace can be found of third-world citizens or representatives having a vote in the adoption of the CVP. Thus, it could be said that the CVP is a policy in which not all who are affected by it have had the opportunity to cast their vote. Thus, it appears that the EU, through adoption of the CVP, appears to act against the democracy they so highly value.

Paradox 4: Mixed-up priorities

Now, the previous paradoxes all are based on the assumption that the purpose of the CVP is meant to protect the inhabitants of the Schengen Area. Let us return to the thought experiment, and hold on to that though a little longer, but with an

addition. Let us truly play Devil's Advocate, and assume, that the CVP's main purpose is to protect the inhabitants of the Schengen Area, but also, that the nationality of a person does say something about the behaviour, and morals of that person. With that assumption in mind, it would appear justified that we impose visa requirements on nationalities for the protection of others, and that change in the country is necessary to reduce the risk of a person. Yet, we see other things happening. While searching for the discourse within CVP, a peculiar, second use of the CVP was discovered: the CVP is sometimes used as a tool to exercise soft power. It exercises this soft power by making special rules for certain countries, if they pledge some form of allegiance to the EU. Furthermore, as described by the explanatory memorandum for new reforms on the Schengen Visa Code, the CVP should contribute to the economic growth of the Schengen Territory, a purpose for which relaxation of the CVP can be applied.

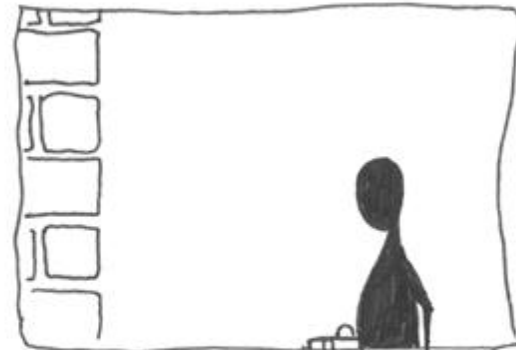
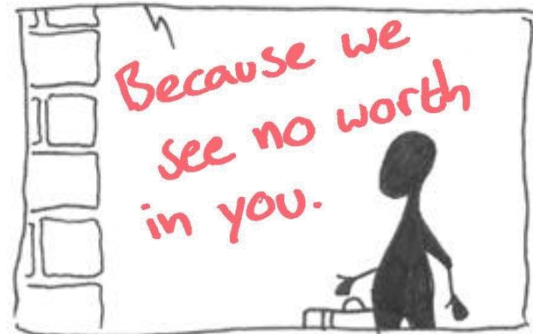
Thus, a trinity of goals emerges from the discourse of the CVP: protecting security, improving international relations, and strengthening the economy. However, these goals seem to be at odds with each other, for imposing visa requirements is told to be necessary for protecting the people within the Schengen Area, while relaxing these visa requirements is used to strengthen international relations, or promote economic growth. And so, the only way to resolve this tension is to prioritize. But what is to be prioritized, and what does this prioritization implicate then? The goal of protection is a goal that hardly anyone can object to. In a sense, it is the protection of the human rights of the people within the Schengen area, for Article 1 of the Universal Declaration states that everyone has the right to life, liberty and security of person. But this goal of protection, of ensuring human rights, seems to be subordinate to the other goals. After all, the imposition of visa requirements is said to function to protect the people within the Schengen Area, but it seems that as soon as there are gains to be made in the realms of international relations or economic development, this rigid imposition becomes more relaxed. The apparent prioritization of economic

development and international relations over security gives the impression that these threats of security aren't that severe at all, but that the EU doesn't want to let poor people in as easy as others or deliberately dupe citizens of a country with which they have bad relations.

We arrive at grim implications: CVP might deprive people of their universal human right to access asylum, CVP appears to violate the universal human right that anyone is entitled to the universal human rights without distinction of any kind, and the fundamental right of the EU regarding non-discrimination, and the CVP either exaggerates the threat third country nationals pose, or deliberately endangers residents of the Schengen Area for power and profit, and CVP appears to break with what is aimed to be the functioning of the EU. Can we justify depriving people from their universal human rights in order to secure ourselves? Can we justify the violation of someone else's human rights to ensure our own, even when these threats might be exaggerated? Doing so would also violate the Universal Declaration of Human Rights; Article 30 clearly states that nothing in the Universal Declaration of Human Rights may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth within the Universal Declaration of Human Rights.

In conclusion, what was expected to be black and white, founded on a strong argumentation and very clear, is in fact very vague. The CVP is a paradoxal policy that is the product of an interplay of questionably founded images, perceptions, assumptions, interests and politics, where the decision to subject third countries to visa requirements seems to be based more (but not fully) on images, perceptions and assumptions, while the decision to exempt third countries to visa requirements seems to be based more (but not fully) on interests and politics.





9.2 Posing a discussion: towards a fair visa policy

Looking back at these paradoxes, we see a troublesome image: it appears that CVP is all but fair. Carens (1987; 1999; 2000; 2014), Isbister (2000) and Meilander (1999) demonstrated that borders are a topic for discussions on ethics. And thus, I would like to pose a discussion focussing on how to create a fair visa policy. While fair is used relatively commonly in daily conversation, it is far from easy to formulate one common, yet specific definition of fair. What is fair in situation X may be far from fair in situation Y. The notion of fair differs between scales, between cultures, between people, and so forth. Yet specific notions of fair may also transcend scales, cultures and people, and so forth. To kick off this discussion on fairness, I shall draw from three spatial justice theorists and their theories on fairness. These three are discussed below.

Wasted Potential

I will start off by briefly discussing the ideas of AbdouMaliq Simone (2004; 2014). Simone's work focuses on justice in non-Western cities, cities like Johannesburg and Jakarta. Simone has written several papers on the workings of these cities, the lived experience, and has noticed a great deal of unnoticed potential (Simone, 2014; Simone, 2004). This potential is partly unnoticed by the apparent ruinous state these cities are in (Simone, 2004), at least this is the case for Johannesburg. In Johannesburg, Simone (2004) noticed that the people function as an infrastructure, for economic collaboration. Infrastructure is commonly understood as a grid of physical objects, like roads, pipes, wire, or transmitters, and these modes of provisioning and articulation are viewed to make the city productive. Furthermore, it reproduces itself, and places residents and resources in such proportions that every sector can use human energies as efficient as possible. However, Simone (2004) extends the notion of infrastructure to human activities as well. This is because the African city is often characterized by incessant flexibility, mobility and provisionality of the intersections of its residents, which do not obey the clear delineations of the before mentioned physical infrastructures in terms of how the city is to be

inhabited and used. This same flexibility is noticed in the Southeast Asian city of Jakarta (Simone, 2014). It is from this flexibility, and unnoticed potential that Simone formulates the issue that is faced. The issue at hand is that local governments do not take into account this potential that is used by the residents of their city to be productive and to support themselves. Thus, when city (re)structuring takes place, there is a significant part of the population and potential overlooked, and often disadvantaged through these changes. Simone (2004; 2014) therefore tries to create awareness for this group of people that contribute to the productivity of the city but are not recognized, they are not rewarded for their efforts, sometimes even punished, and that – as Simone (personal communication, 08-09-2014) – puts it, is unjust.

Voluntary Separation

However, solely focussing on the wasted potential at our borders closes our eyes to our own problems, and would also be unjust. It would be narrow-minded and ignorant to state that the wasting and non-recognition of potential only occurs outside our “Western” spaces. I believe we too have unnoticed and unused potential. Now this notion adds spice to the discussion. Would it be fair to prioritize the use of unused potential from outside our spaces over the use of unused potential from inside our spaces? Or vice versa? Rationalizing from the previously mentioned paradigm of solely focussing on the wasted potential at our own borders, one could vigorously defend the case for completely open borders. However, this could also mean doing injustice to the unused potential within our own space. This in itself already shows the complexity of what is fair. Perhaps completely open borders are not fair either, for it might result in the wasted potential of people on this side of the border. But how open or how closed should a border be? To speculate on the answer of this question, I shall introduce the second theorist for this discussion, by drawing from the mind of Michael Merry (2013; 2014) and his notions of voluntary separation.

I believe most of the intended audience is familiar with the popular discourse that diversity is beneficial to society. It is not Merry's intention to discredit the diversity discourse, on the contrary. He truly believes that in some cases it can work, and that diversity will lead to a positive form of integration and equality. However, this is also where Merry puts his question marks: Merry recognizes that in some cases it may work, but definitely not all. He ascribes this to the political functioning of the ideal of diversity and integration, as this ideal is often wrongly defined by political actors, and thus is rendered useless or even harmful. An example Merry mentions is the zealous, improvident link with assimilation, sometimes interchanging the two with each other. The zealous belief in integration as a means of achieving equality, without taking into consideration its meaning and thus enforcing diversity is called integrationism, and often proves to be more damaging than it does good. It is therefore Merry's intention to challenge this popular dogma of integrationism, and provide an alternative for achieving equality in an imperfect society (Merry, personal communication, 01-12-2014). Merry's ideas stem from his experiences with the educational system, as a teacher, but also as a father of kids who go to school. This is where he saw that sometimes, forced diversity increases stigmatization of the minority. This is also where he thought of what he calls educational justice, gaining spatial justice through education (Merry, 2014).

As mentioned above, but briefly summarized, Merry's argument is a critique, in favour of freedom and equal access to resources at the cost of forced diversity. Merry argues that justice is often reflected on from our own position, a position of privilege. This means that segregation has gained a negatively loaded meaning, which determines the response it receives as a phenomenon (Merry, personal communication, 01-12-2014). Thus, a stigmatization of the term segregation is created, and a victimization of the segregated. But is this justified? Merry states that we need to look for the hidden assumptions, the involuntary and voluntary factors of segregation. Merry speaks of institutionalized racism, where race is integrated in the perspective of society, and thus determines where an individual

eventually will end up as society's response to this individual is marked by this institutionalized racism. In this sense, the involuntary links up perfectly to segregation. However, what is more interesting, according to Merry, is how segregation is kept alive when discrimination recedes. He ascribes this to what he calls the freedom of conscience – of what to think – and the freedom of association – of who to be with. The latter is often informed by a trait that Merry calls the “homophily principle”: the inclination to be with people like you. This is informed by shared backgrounds, interests and pursuits, and is thus linked strongly to a feeling of identity (Merry, 2013; 2014; personal communication, 01-12-2014). This is also where voluntary separation comes around. Merry states that segregation should be tackled if there is real danger, but, segregation in itself does not equal real danger (Merry, personal communication, 01-12-2014). To put spatial justice in a perspective without integration, Merry states that we should pay attention to recognizing voluntary and involuntary segregation, what the features of segregation are, adopt framing principles, redefine, reclaim and transform the definition of segregation, and reject the hegemony of integrationism as a proxy for justice. Through this, it is possible to come to the concept of voluntary separation (Merry, 2013; 2014; personal communication, 01-12-2014). Voluntary separation is exercised on the bases of the freedom of conscience and the freedom of association. It acknowledges the constraints of integration, and rejects the victimology of the minority (Merry, 2014; personal communication, 01-12-2014). Its power in achieving equality in terms of freedom and equal access to resources, is that it renders the majority powerless as the self-separating minority becomes its own majority, the minority principle is rejected, as they can govern themselves to the extent that they can determine what is right for them. However, there are some conditions that need to apply, in order for this voluntary separation to work (Merry, 2013; personal communication, 01-12-2014). First of all, this separation must be exercised from a perspective of Equality & Citizenship: for voluntary separation to work, it must be done from a perspective of achieving equality, while respecting citizenship. This is to say that the minority will still remain citizen, but they are

not subject to the majority in terms of policy. It is not to separate oneself and become an independent state. Furthermore, it must be done from a perspective of self-respect and civic virtue. This is to say that in order to gain the most from voluntary separation, the minority must have a sense of self respect in the sense that value themselves enough to decide what is best for them, while civic virtue demands that one also respects the well-being of others and tries to contribute to society. In other words, the decisions made should not harm the rest of society. If these concepts are not enforced through separation, voluntary separation is not contributing to spatial justice, for it would result in potential harm to others in society (Merry, personal communication, 01-12-2014). The field that lends itself perfectly to achieve this, according to Merry (2014) is the educational system. According to Merry, education is the biggest equalizer, and provides a basis to give youths tailor made environments that render stigmatization and the minority principle powerless.

Bordering to improve equality, I find it a very refreshing idea, and that is what I like about Merry's theory on spatial justice. There are however some very critical comments to this theory. The first is that the concept of voluntary separation to increase equality only represents the situation in "Western" societies, where the minorities are often the disadvantaged groups who are then subjected to the paternal vision of the majority, who will "aid" them in their development, who know what's best for them. Now, of course, it is not surprising it takes on a western perspective as Merry bases his ideas on his own – implicitly "Western" – experiences. However, this does not represent the situation in other parts of the world. In fact, in many developing countries, the minority of the population that segregates itself is in fact the upper class. Merry (personal communication, 02-12-2014) recognizes this and does not yet have an answer for these scenarios on how to improve equality. Another big critique I have on the theory of educational justice, in the same light as the before mentioned critique, is on the notion of education as the biggest equalizer. In other societies than ours, this is often not the case. As I said before, I find it very

refreshing, and from that – as well as the acknowledgement and destigmatization of the social process of "othering" – it gains my support, but I acknowledge that it has its shortcomings.

What is interesting is that Merry in essence proposes increased equality through bordering, in this case the bordering of different groups within a society, but bordering nonetheless. The essence of this just bordering lies within the voluntary principle: both parties must agree to border between oneself. Furthermore, the instilled border must improve the situation of both parties, to make sure it is a just border. These ideas, however, are more focussed on the being of the border and its implications, and not necessarily on the creation and institutionalization of the border.

Voices to noises, politics to policing

The last theory I shall discuss for the upcoming discussion, focuses on the functioning of the city and its government. Mustafa Dikeç (2001; 2005; 2013) draws from the empirical evidence of contemporary urban uprisings in the liberal west to discuss the issue of spatial justice. Dikeç' (2013) argument is that contemporary urban processes produce injustices, which in turn then produce forms of dissent. These forms of dissent, these grievances evade the established institutions of the liberal democracies in terms of being addressed. Dikeç (2013; personal communication, 12-01-2015) draws the basis for this from and illustrates this with the example of the Banlieus in France. The Banlieu, as he describes it, lends itself in some cases as a space of injustice. Yet not all Banlieus are characteristic for the Banlieu as space of injustice. Dikeç (personal communication, 13-01-2015) makes a distinction between *a* banlieu, and *the* banlieu, a distinction he also sees in popular media, politics and the everyday use of language. *A* banlieu is just another part of the town, a designation of an area, while *the* banlieu is a space of danger, of minorities, and of riots and violence. It is here that the crux of the matter is displayed: *the* banlieu is a social, and

political construct. He links this to politics, in the sense that he describes politics as a way of viewing the world, which is informed through aesthetics.

Before we continue with the notion of politics which are informed through aesthetics, it is worthwhile to explore what Dikeç (2005) means with politics. Politics, in Dikeç' (2005) definition, is a process through which certain wrongs can be righted, and is informed by the masses. The masses partake in the political process, and set up the agenda of problems that need to be discussed. However, it often occurs that the masses lose sight of the truly structural problems, and focus on the marginal. The bigger picture is missing. The concept of politics is linked to two other concepts, democracy and the police. Democracy, in Dikeç's definition, is the process of electing leaders, while the police is the natural order of things, the regime that is constituted. To illustrate this, Dikeç (2005) uses the example of a prison, filled with people who are born there. They did not do anything wrong. The prison runs out of food, and the people start discussing about the shortage of food. This discussion, Dikeç (2005) calls politics. To solve this problem, leaders are elected, this is democracy. But the elected leaders focus only on the issue of the food shortage, and do not notice or even try to combat the situation there in; this is what Dikeç (2005) means when he says that politics turn to police: politics should be about the natural order, yet when they only discuss symptoms of the failing regime, and not the regime itself, they become the police. This is linked to a process of voices becoming noises (Dikeç, 2005). Noises, as defined by Dikeç (2005), is a simple outing of complaints, while voices are designed to question the authorities and their ways. When voices become noises, the useful, constructive discussion is ended.

As stated before, Dikeç (2001; 2005; 2013) tries to draw attention to a form of spatial injustice which is characterized by urban revolts. Dikeç (2013) does this through the example of *the banlieu*. Dikeç (2001; personal communication, 12-01-2013) refers to what he calls the spatial dialectics of justice, the spatiality of injustice, which allows us to see injustice, and to interfere, and the injustice of

spatiality, which is the concept of injustice produced by the making of space. To explain these, Dikeç (2013) refers to what he calls Geographies of Grievances: spaces that are plagued with several factors that add up to the suffering of its inhabitants. Among these factors are mass unemployment, discrimination, and others (Dikeç, personal communication, 12-01-2015). Here the spatiality of injustice is enlightened: it is in this space, that injustice can be seen, and maybe even combated. However, for *the banlieu* this does not occur. Dikeç (2013) ties this to the earlier mentioned problem of turning voices into noises: there are only complaints of the banlieu, and thus the banlieu is not seen as a symptom of a failing regime, but as the problem itself. Through time, the banlieu, the Geography of Grievances, becomes a Geography of Revolts. This is because the living conditions in these banlieus are revolting (Dikeç, personal communication, 12-01-2015). And once more the attention is drawn to the banlieu as the problem, the voices turning into noises, and thus encouraging politics to become police: sending the foot soldiers of democracy to reclaim the order. Thus a space of exclusion is created, which becomes a downward spiral of grievances and revolts: grievances turn into revolts, revolts turn into exclusion, exclusion turns into grievances. Dikeç solution to the problem of the Geographies of Grievances, is to break the built up police dynamics, and reclaim true politics, which question the system, which asks the question: what have we done to cause this?

The fairness of CVP

In the previous sections, we have discussed three theories on spatial justice, that is to say, three theories that propose a way to make space more just. Now let us apply these theories to what we have learned about the CVP. This application will be structured similarly to how we have discussed these three theories: first, we shall try to apply the theory of Abdoumalik Simone, followed by the theory of Michael Merry, and lastly, we shall try and apply the theory of Mustafa Dikeç.

Now, when we look back at the theories of Simone, we notice that spatial injustice – according to Simone – presents itself in the form of wasted potential.

This is inherently linked to infrastructure and human beings using and becoming infrastructure. The difference between regular infrastructure (roads, wires, etc.) and people as infrastructure, is that while the former is static, the latter is not. Instead, the latter is dynamic, and inventive, in the sense that people may change the use of existing infrastructure, and through a different use of said infrastructure, it becomes another one. Take for instance a wide road, with houses on both sides. These houses are infrastructures of shelter for people, while the road is an infrastructure for moving goods and people. Yet, the road is very wide, and some of the space could be reclaimed by people to form a market stall which they run from home. Suddenly, the homes are also businesses, and the road has become not only a way of transport, but a space of commerce, and this is all made possible by the potential of people. Yet when a government would decide to repave the road to make it more narrow, and destroy the properties that made it possible to set up a market, we see wasted potential, which – by Simone – is viewed as an injustice.

Now let us look at the potential and wasted potential found in the CVP. We have established that the CVP functions as a border, and keeps people out. We have established that this practice leads to some concerning paradoxes. But, does the CVP waste potential? When we look at the Visa Facilitation Agreements, many provisions are included to allow people to travel from outside the Schengen Area into the Schengen Area for the purpose of working here, contributing to our economy and society. In that sense, one could argue that the CVP does not waste potential, for it allows people to come in and fulfil their potential on Schengen soil. The same could be said for Regulation (EC) No539/2001, which states that Member States may make exceptions to the visa requirement for certain people provided that they engage in paid activity on Schengen soil.

However, the CVP also tries to keep out a lot of people. Do these people then lack potential? When we look at the discourse presented in the CVP, it appears

that according to the EU, the answer to this question is yes. While semiotic discourse analysis and close reading left the purpose and practice of CVP quite vague, critical discourse analysis aroused our suspicions that CVP keeps out those who cannot contribute to the economy, those who do not comply with the European ideology of freedom, security and justice, and those who do not have committed to the causes of the EU. At the same time, it invites those who appear to be possible stimuli for the European economy, those who internalize the European ideology of freedom, security and justice, and those who do commit to European causes and lend their support. Summarized, if you cannot provide economic stimulus, do not copy the ideology, and do not commit to the cause and lend your support, it appears that you have no potential for the EU. And thus you are put in the waiting zone. What would Simone think of this exclusion of people? According to Simone, every human being can contribute to the productivity of his or her surroundings: every human being has potential. So, denying these people entry to the infrastructure of the EU, would be an injustice in the eyes of Simone, for it disregards the potential that people have, and thus wastes it.

There is however, one more interesting perspective that this theory may provide, perhaps a dark perspective, but an interesting one none the less. Using this theory, one might say that CVP provides the opportunity for some to use their potential to the fullest. The opportunity that the CVP provides for people to use their potential to the fullest, presents itself to me in the facilitation of irregular migration.

Let us look at the CVP as an infrastructure in itself. We have roads leading to Europe, water ways leading to Europe, and air ways leading to Europe: the CVP more or less functions as a barrier within these ways of entering Europe. In the phenomenological framework, we established that visas and the existence of irregular migration are inherently tied together: irregular migration means that one enters a space without permission from the legal-institutional framework of

the governing entity of that space. A visa grants permission to enter a space and is issued according to the legal-institutional framework of the governing entity of that space. Thus, one could say that if visas did not exist, there was no such thing as a permission granted through the legal-institutional framework of the governing entity of a space, and thus, migration could not occur outside of this legal-institutional framework, for it would not exist. Put otherwise, the existence of CVP, allows for the existence of irregular migration, and indirectly, allows for people to use their potential in facilitating irregular migration. Thus, these facilitators of irregular migration use the infrastructure of CVP in a way that it is not meant for, to their own advantage: The CVP is meant to keep people out, yet it provides a niche market for those who can get people in. Does this then make the CVP a fairer policy? Not necessarily, for combating irregular migration is one of the pillars on which the CVP and its surrounding policies is founded. The justness of CVP, in the framework of Simone, is blurry to say at least.

Would it be possible though, to defend the bordering qualities of CVP, and the way they do this? For this we shall try and apply Merry's theory on voluntary separation, a theory that actually promotes bordering as a means of achieving spatial justice.

To fight spatial injustice, according to Merry, we must strive for equality in terms of freedom and access to resources. One way of achieving this, is through voluntary separation. While diversity may provide a similar outcome, Merry's experience is that exposure to a majority makes minorities vulnerable for unequal treatment and access to resources. In an imperfect world, we sometimes must look at the unpopular alternatives, and Merry's response to the imperfect world is voluntary separation: separation from the majority, the chance to govern one's self as a minority, to adjust government and policies to the need of this minority, but all the while remaining part of society, striving for equality, with respect for what is best for one's self, but also what is best for the other.

With CVP, we can see a minority separating oneself from a majority: the Schengen area separates itself from the rest of the world, while determining who can enter this separated space freely, and who cannot. As Merry stated, voluntary separation may be fair, but only if it is enacted from a perspective of achieving equality, while respecting citizenship, as well as a perspective of self-respect, and civic virtue. Merry wrote his theory about spatial justice in the city, but what if we extrapolate this to a more global scale? Equality may very well be extrapolated to a global scale, as well as self-respect (what is best for one's self), and civic virtue (what is best for others). Only citizenship, remaining part of society, might be questionable in the global scale. So let us focus on these three main elements of global, voluntary separation.

When we look at the perspective of achieving equality, in terms of freedom as well as access to resources, it becomes hard to defend the existence of the CVP and other bordering measures. When Merry speaks of bordering in order to create equality, he means the separation of a minority that does not enjoy the same amount of freedom and access to resources, but less than what the majority enjoys. Here, we see something else: in comparison with those who are not allowed in according to the CVP, we see that the EU/Schengen territory resembles the opposite of Merry's minority, that is to say, a minority that enjoys more freedom and access to resources than the majority of the people. Especially when we look at the criteria list we formulated in chapter 7, we see that the Schengen area is a minority that enjoys freedom from conflict, freedom from oppression, freedom from poverty, access to healthcare, access to economic opportunity, etcetera. We also established that, although not conclusively, the lack of freedom from these mentioned things, and the lack of access to these mentioned things, makes you more susceptible to subjection to visa requirements. Thus, what we see here, is not bordering in order to reach equality, but rather the opposite: we see a border that divides those who have freedom from those who have not, and those who have access from those who

are locked out. The minority of those who have freedom and access to resources keep out those who do not enjoy these freedoms and access to resources.

When we look at self-respect, separating oneself through CVP seems to be excusable, for it appears to be relentlessly chasing betterment of the own position. In our analysis we determined that the CVP serves multiple purposes, the one that appeared first being the purpose of protecting the inhabitants of the Schengen area from external threats. That, in itself, is striving for the best for yourself. However, the CVP serves more purposes, all of which seem to be aimed at the improvement of the wellbeing of the Schengen area. While analysing the CVP, we saw special provisions made for businessmen, diplomats, and other figures of importance. We saw special provisions for cross-border labour migration, and praise for third countries in acting according to the ideals of the area of freedom, security and justice. Our analysis gave rise to the suspicion that the CVP is not solely designed to protect the inhabitants of the Schengen area, but additionally functions as a soft power tool, where the exception to the CVP may be used as an incentive to force economic stimulus, the spread of European ideology, the commitment to the European cause and the lending of support by third countries in achieving the goals of the EU, as demonstrated by the Visa Liberalisation Action Plans, the Visa Facilitation Agreements, several amendments to Regulation (EC) No539/2001, and of course the negotiations with Turkey regarding the refugee crisis. So, when we look solely at the notion of self-respect, the existence and practice of CVP is excusable.

However, when we add the notion of civic virtue, what is best for others, or not harming others in the process of separation, this separation done fully out of the betterment of one's own position is no longer excusable. For as we discussed earlier, the key to a just border, according to Merry, is the combination of equal freedom and access to resources, citizenship, the perspective of self-respect and the perspective of civic virtue, the last one taking into consideration what is best

for others. In this last field, the CVP once again seems lacking, for there are only some exceptions made to the rule, and as we discussed before, these are mostly made if the EU can profit from it as well. Now, it has to be noted that there are provisions that would allow the CVP to deviate from its normal practice in order to do what is best for the others. Regulation (EC) No539/2001 clearly states that Member States may deviate from the rules set out in that regulation for humanitarian reasons. Yet, as reports from the European Parliament have shown us, this option is hardly used by Member States. The fact that humanitarian causes are made optional in that sense is already debatable: it appears that the CVP makes the pursuit of self-betterment obligatory, while making the pursuit of betterment of the other optional. Thus, the balance between the perspective of self-respect and the perspective of civic virtue becomes skewed.

Thus, we can conclude that even according to Merry's theory, which initially sees bordering as a valid way to achieve spatial justice, the practice of the CVP and its implications is an injustice to those who suffer beneath it, for its bordering qualities do not increase equality in freedom and access to resources, and it does not strive for the best for the other as it does strive for the best for the self.

Lastly, we shall look at how the CVP functions in terms of voices and noises, and politics and police. That is to say, we look once more at its purposes, and try and argue whether or not we are dealing here with either voices or noises, and with politics or police.

Let us recapture what we have learned so far about how the CVP functions and what purposes it has, or in other words, what problems it aims to tackle. Semiotic Discourse Analysis taught us that, among other things, CVP is designed to shield the inhabitants of the Schengen area from external dangers in terms of public safety, internal security, and public health. The threats to public safety, internal security, and public health, according to the EU, can be linked to the illegal migration emanating from a third country, the public policy of a third

country, and the international relations of a third country. We also saw that according to the EU, visa policies are effective means for the control and management of migration flows, and that enforcement of the CVP might provide useful in combating illegal migration. Close reading showed us the criteria that make third countries more eligible or less eligible for visa liberalisation: among the ones that make you less eligible, we saw criteria as oppressive governments, conflicts and war, weak economies, bad public health, etcetera. And critical discourse analysis showed us that the CVP is a product of negotiations and voting processes done by the governing entities of the EU, and that the CVP exercises its power over member states of both the EU and the Schengen Area, as well as third countries and their respective nationals. Additionally, where Semiotic Discourse Analysis and Close Reading failed to provide us with a conclusive answer in how the division between visa liberalisation and visa subjection is made, Critical Discourse Analysis showed us that visa liberalisation becomes a lot more likely when the EU can benefit from visa liberalisation in terms of economic stimulus, the spreading of EU ideology, or binding countries to the European causes and acquiring their support in fulfilling these causes.

Now let us attempt to apply Dikeç's theory on spatial justice. Spatial injustice, according to Dikeç, has two faces. The first of these is named spatiality of injustice. This spatiality of injustice allows us to see injustice. Injustice can be seen in space and is expressed through what he describes as Geographies of Grievances. These Geographies of Grievances are spaces that are plagued with problems: for the Banlieu, Dikeç describes these problems as mass unemployment and discrimination, among others. The risk that Geographies of Grievances presents, is that they can turn into Geographies of Revolts, for the circumstances in these spaces are problematic and may eventually become revolting, thus inciting resistance from its inhabitants. For the Banlieu, Dikeç took note of how the French government handled these uprisings. With each revolt, the French government sent in police forces, in increasing numbers, creating spaces of exclusion. These spaces of exclusion are characterized by being

locked from the rest of the city, thus increasing grievances in the area, and thus increasing the risk of revolts.

Now let us look if we can determine spatiality of injustice, expressions of spatial injustice, on a global scale. For Dikeç, the prime example of a Geography of Grievances is the Banlieu. But when we look at a global scale, we can also see spaces riddled with problems, which make the living conditions revolting. This can be seen in the countries plagued by war, famine, disease, violation of human rights, oppressive regimes, and etcetera. When we further apply this theory, we can see that these Geographies of Grievances are already turning into Geographies of Revolts, partly in the sense that third country nationals might attempt to combat the system, but also in the sense that third country nationals see no other solution than to flee this Geography of Grievances.

The second face of injustice is described as the injustice of spatiality, which is defined as the creation of injustice through the making of space: in other words, the creation of Geographies of Grievances through making space and influencing how it works. The making of these spaces, according to Dikeç, is done through politics: the process that aims to right the wrongs that are presented by the masses through agenda setting. Simplified in his example, society is presented with a problem, to tackle this problem they elect leaders, and these leaders then use politics to discuss these problems and the possible solutions. Linked to politics is the presence of police, which is described by Dikeç as the regime or the maintenance of the established order. According to Dikeç, the best way to battle injustice and to solve the problems presented by the masses, politics should discuss the apparent natural order of things, the structure of the situation and the regime itself, for it is very well possible that the problems that society is faced with originate from structural problems within how things are done in said society. Dikeç describes this as politics using voice: the tool that is designed to discuss and question the problem and its structure. Yet, as Dikeç notes, this structural discussion often is lost, and instead, leaders try to combat the effects

of the problem, rather than the problem itself. In the example of the Banlieu, leaders decided to send in police forces to suppress the revolts, rather than looking at the causes of the revolts and trying to suppress these causes. Instead of curing the disease, leaders fight the symptoms, a process that is described by Dikeç as voices turning into noises, noises being the superficial outing of complaints rather than discussing the problem. And thus, when voices turn into noises, politics turn to police: the elected leaders no longer discuss the system and how it may cause problems, but instead enforce the order they created.

Now, as described, the second face of spatial injustice, the injustice of spatiality, comes from the making of space, which then creates the circumstances that create, reproduce or maintain the spatiality of injustice in the form of Geographies of Grievances. This thesis is structured around a phenomenological framework focussing on the refugee crisis, and thus, we shall attempt to frame this discussion from that framework as well.

Let us now recapture what we have learned about the refugee crisis. In the phenomenological framework we saw that the largest contributors to the number of arrivals of refugees to Europe are Syria, Afghanistan and Iraq. We also saw that these three countries are all featured in the UNHCR Top 10 of Refugee-producing Countries. We know that many of these refugees attempt to reach European soil in an irregular way, and that Syria, Afghanistan and Iraq are listed in the Henley & Partners Visa Restriction index among the 5 countries whose passport holders enjoy the least visa free access to other countries in the world. Lastly, we saw that irregular migration is inherently tied to the existence of visas. Additionally, the internship at ASKV: Steunpunt Vluchtelingen showed us the motives of irregular migrants to flee their country. These reasons included war, oppressive governments, violation of human rights, etcetera.

Earlier we determined that on a global scale Geographies of Grievances are present, and are plagued by problems as war, famine, disease, oppressive governments, violation human rights, etcetera. The CVP aims to protect the

inhabitants of the Schengen Area from external threats, spread ideology, create commitment to the EU cause, and provide economic stimulus, through the control and management of migration flows. The enforcement of CVP should also reduce irregular migration, and thus we built fences along the external borders and send out boats to patrol for irregular migrants. Yet we also determined that irregular migration cannot exist without the existence of visas. Even more so, as we described earlier in the paradox that I called Confinement to Condemnation, we saw that this management and control of migration flows is attempted through the imposition of visa requirements on countries that are plagued by the very same factors that make people flee their country.

And thus, we see that voices have turned into noises: we regard irregular migration as a problem, yet we fail to grasp the true roots of this problem: irregular migration only exists because visas exist, we made the phenomenon of irregular migration possible by imposing visas on nationalities. Even more so, we impose visa requirements on the people that are most likely to flee, using the reasons that make the most likely to flee. And to combat this problem of irregular migration, we send out troops to guard our external borders, effectively turning politics into police: we no longer question why irregular migration exists, we no longer question why these people come here, and we do not attempt to solve the root causes of these phenomena. Instead, we fight the symptom, we relentlessly try to keep them out through force. And thus, we turn these Geographies of Grievances, of Revolts, into spaces of exclusion. Through visa policy, we exclude these people from the rest of the world, as demonstrated by the Henley & Partner's Visa Restriction Index, the Refugee Crisis Fact Sheet of the UNHCR, and the UNHCR Top 10 Refugee-producing Countries. And even though the CVP has not created the circumstances that have made these places Geographies of Grievances, we can conclude, that it does not do anything to tackle the roots of these circumstances. Instead, it maintains these Geographies of Grievances, these Geographies of Revolts, by making these spaces of exclusion, allowing for the circumstances to worsen while keeping

these people inside, leaving them with only one option to escape their predicament: migrate irregularly, an option only made possible through the existence of the CVP.

Thus we can conclude that, reasoning from these three perspectives, the CVP is a form of spatial injustice. However, this is from these three perspectives: the discussion about the fairness of the CVP is not over, and this section is merely an invitation to partake in this discussion. Which brings me to the final section of this thesis: my recommendations.

9.3 An attempt to fix what's broken: Recommendations

So we seem to arrive at crossroads: either we continue our way down the path we have set, and admit we value our lives over that of others, and are willing to act unjust for it, or we rethink the way we border ourselves. But universal human rights are written down for a reason, as a lesson from the past, to ensure that the cruelties of those days will never be repeated again. The same goes for the three perspectives presented in the previous section: they function as a response to injustices, a response to the horrors that people are faced with, and to attempt to fix what is broken. And thus, we are left with only one option. Rethink.

This brings me to the core of this section, making recommendations. For my fellow scientists, firstly, I would recommend that you learn from this thesis, but also pay close attention to the limitations of it. The CVP is only one of the many visa policies in the world. I would recommend you to subject these to discourse analysis as well, to provide for a more complete picture. To do so, you might want to look closely to the methodology used in this thesis, for it has been tested in practice and formulated specifically to aid in further research on discourses behind visa policies. The methodology used in this paper proved to be useful for discovering the inter-play between images, perceptions, politics and interests, an interplay that may very well also be present in other visa policies. Additionally,

this research has focussed on one of the more recently developed visa policies, yet as we know, visa policies have been around for quite a long time. It might prove to be worthwhile to research these policies as well, for then we might know why we have visa policies in the first place. Furthermore, the CVP only sets out regulations for short stay visas, long term visa policy is still formed by member states of the EU themselves. These also must be subjected to discourse analysis, for these too belong to the complete picture. Additionally, the CVP is just one part of the external policy of the EU and the Schengen Area. Other parts include asylum policy, border policy, and etcetera. Further research regarding these policies might provide more insight in the borders of the EU, or for any country or supranational entity for that matter. And lastly, as described in the limitations, the CVP creates two walls, the first being discussed here, and the second appearing when one actually applies for a visa. This second wall must be researched as well.

For those who are involved in the creation of the CVP, I also have some recommendations. Should you wish for a fairer border policy, and the end of irregular migration, I have the following recommendation: kill the Common Visa Policy. It acts in violence of the Universal Declaration of Human Rights, the European Charter on Human Rights and Fundamental Freedoms, and even more so, irregular migration is only possible due to the existence of visa policy. Should you not be willing to murder your darlings, I can only recommend the following.

Firstly, dedicate your policy to one purpose, for as this thesis has demonstrated, this serving of multiple purposes leads to debatable decisions, which are hard to justify. For example, should you truly wish to protect the inhabitants of the Schengen Area, consider instating a visa requirement for every nationality. For who can provide the guarantee that a citizen of the U.S.A. will not harm inhabitants of the Schengen Area, or disrupt public order? The actions of an individual are linked to only the individual, not the nationality to which he or she

belongs. This is the only recommendation I can present you with, for protection of the inhabitants of the Schengen Area is the only admirable purpose I could distil from my research. Every other presented purpose, and the deprivation of people's right to migrate to serve this purpose, seems to be a perverted act. Lastly, from the perspective of the refugee crisis, I would recommend to do away with the requirement of applying for asylum on EU territory, and instating visas that allow successful applicants for safe travel to the country in which they may enjoy asylum. That way, I believe the necessity of migrating irregularly to the territory of the EU is severely decreased.

And with regard to the border in itself, I leave you with these final words. We still view our border as castle walls, built to exclude those who threaten us, to keep the enemy at bay. To protect ourselves from the barbarians, from the plague. From terrorists and diseases. That is what we tell ourselves, but one can see the cracks in the wall: even with these rigid border policies, we still experience terrorism. We still experience diseases. Perhaps, we should focus our attention on these cracks, on if and how we could fix them, if it is desirable to fix these cracks, but most importantly, if such a wall still has a place in this world.

In court, justice is practiced with use of evidence. The creed of our justice system is well known. Before the law, you are innocent, until proven otherwise. And this holds up for the CVP as well, but only if you are one of the EU's favourites. However, should you carry the nationality of any country mentioned in Annex I of Regulation (EC) No539/2001, this creed becomes twisted:

Before the law, you are guilty, until proven otherwise.

Until then:
Access Denied.

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work during the different stages in conducting this research has been of great value, and crucial, into delivering this final product.

This thesis has been illustrated with several comics illustrating what it is like to wait before the border that is visa policy, as one of those unfortunate enough to originate from one of the countries subjected to visa requirements. I did not want to end this comic on a sad note, and thus, I have provided the protagonist of the comic with a safe haven. Unfortunately, I am only all-powerful in the world I have created for the purpose of this thesis. But perhaps when we combine our strengths, we can make a change in our own world. A full version, consecutive version of the comic can be found in Appendix 5.



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Appendix 1 –Full list of documents for analysis

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Appendix 2 –Atlas.Ti output for analysis questions

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Contents

Results for question: “How is the text situated within the broader society?”	122
Results for question: “What messages does the text communicate in terms of institutional and social conventions?”	379
Results for question: “What are the dominant ways of talking, doing, and being, and how does this perpetuate inequalities and power hierarchies?”	458
Results for question: “How does the discourse relate to the social or cultural practices of a social group? What is/are the purposes of the discourse, explicit or implicit?”	592
Results for question: “Does the text represent and advocate a message?”	733
Results for question: “What social language is enacted in the text? Whose interests are represented in the discourse?”	883

Results for question:

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No memos

Schengen

P 1: Visa Application Form.pdf - 1:2 [Surname (Family name) (x) FOR ..] (1:121-1:256) (Super)

Codes: [How is the text situated in broader society?]

No memos

Surname (Family name) (x) FOR OFFICIAL USE ONLY

2. Surname at birth (Former family name(s)) (x)

3. First name(s) (Given name(s)) (x)

P 1: Visa Application Form.pdf - 1:3 [Personal data of the family me..] (3:783-3:848) (Super)

Codes: [How is the text situated in broader society?]

No memos

Personal data of the family member who is an EU, EEA or CH citizen

P 1: Visa Application Form.pdf - 1:4 [Signature (for minors, signatu..] (3:1100-3:1171) (Super)

Codes: [How is the text situated in broader society?]

No memos

Signature (for minors, signature of parental authority/legal guardian)

P 1: Visa Application Form.pdf - 1:5 [the territory of Member States..] (4:286-4:318) (Super)

Codes: [How is the text situated in broader society?]

No memos

the territory of Member States.

P 1: Visa Application Form.pdf - 1:6 [Under certain conditions the d..] (4:1659-4:1988) (Super)

Codes: [How is the text situated in broader society?]

No memos

Under certain conditions the data

will be also available to designated authorities of the Member States and to Europol for the purpose of the prevention, detection and investigation of terrorist offences and of other serious criminal offences. The authority of the Member State responsible for processing the data is: [...)].

P 2: Regulation No539-2001.pdf - 2:1 [third countries whose national..] (1:192-1:349) (Super)

Codes: [How is the text situated in broader society?]

No memos

third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

P 2: Regulation No539-2001.pdf - 2:2 [Regulation (EU) No 1091/2010 o..] (1:905-1:1123) (Super)

Codes: [How is the text situated in broader society?]

No memos

Regulation (EU) No 1091/2010 of the European Parliament and of the Council of 24 November 2010

L 329 1 14.12.2010

► M8 Regulation (EU) No 1211/2010 of the European Parliament and of the Council of 15 December 2010

P 2: Regulation No539-2001.pdf - 2:3 [THE COUNCIL OF THE EUROPEAN UN..] (2:230-2:262) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE COUNCIL OF THE EUROPEAN UNION

P 2: Regulation No539-2001.pdf - 2:4 [the European Community] (2:307-2:328) (Super)

Codes: [How is the text situated in broader society?]

No memos

the European Community

P 2: Regulation No539-2001.pdf - 2:5 [the Commission] (2:424-2:437) (Super)

Codes: [How is the text situated in broader society?]

No memos

the Commission

P 2: Regulation No539-2001.pdf - 2:6 [European Parliament] (2:485-2:503) (Super)

Codes: [How is the text situated in broader society?]

No memos

European Parliament

P 2: Regulation No539-2001.pdf - 2:7 [Under Article 62, point (2)(b)..] (2:529-2:904) (Super)

Codes: [How is the text situated in broader society?]

No memos

Under Article 62, point (2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.

P 2: Regulation No539-2001.pdf - 2:8 [This Regulation follows on fro..] (2:1077-2:1274) (Super)

Codes: [How is the text situated in broader society?]

No memos

This Regulation follows on from the Schengen acquis in accordance with the Protocol integrating it into the framework of the European Union, hereinafter referred to as the 'Schengen Protocol'.

P 2: Regulation No539-2001.pdf - 2:9 [This Regulation constitutes th..] (2:1726-2:2293) (Super)

Codes: [How is the text situated in broader society?]

No memos

This Regulation constitutes the further development of those provisions in respect of which closer cooperation has been authorised under the Schengen Protocol and falls within the area referred to in Article 1, point B, of Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

4

)

P 2: Regulation No539-2001.pdf - 2:10 [Pursuant to Article 1 of the P..] (3:5-3:283) (Super)

Codes: [How is the text situated in broader society?]

No memos

Pursuant to Article 1 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and to the Treaty establishing the European Community, Ireland and the United Kingdom are not participating in the adoption of this Regulation.

P 2: Regulation No539-2001.pdf - 2:11 [The determination of those thi..] (3:460-3:901) (Super)

Codes: [How is the text situated in broader society?]

No memos

The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity.

P 2: Regulation No539-2001.pdf - 2:12 [As the Agreement on the Europe..] (3:1186-3:1384) (Super)

Codes: [How is the text situated in broader society?]

No memos

As the Agreement on the European Economic Area exempts nationals of Iceland, Liechtenstein and Norway from the visa requirement, these countries are not included in the list in Annex II hereto.

P 2: Regulation No539-2001.pdf - 2:13 [As regards stateless persons a..] (3:1391-3:1830) (Super)

Codes: [How is the text situated in broader society?]
No memos

As regards stateless persons and recognised refugees, without prejudice to obligations under international agreements signed by the Member States and in particular the European Agreement on the Abolition of Visas for Refugees, signed at Strasbourg on 20 April 1959, the decision as to the visa requirement or exemption should be based on the third country in which these persons reside and which issued their travel documents.

P 2: Regulation No539-2001.pdf - 2:14 [This Regulation provides for f..] (4:415-4:662) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?] [What social language is enacted in the text? Whose interests are represented in the discourse?]
No memos

This Regulation provides for full harmonisation as regards the third countries whose nationals are subject to the visa requirement for the crossing of Member States' external borders and those whose nationals are exempt from that requirement,

P 2: Regulation No539-2001.pdf - 2:15 [Nationals of third countries o..] (4:709-4:868) (Super)

Codes: [How is the text situated in broader society?]
No memos

Nationals of third countries on the list in Annex I shall be required to be in possession of a visa when crossing the external borders of the Member States.

P 2: Regulation No539-2001.pdf - 2:16 [Without prejudice to the requi..] (4:882-4:1349) (Super)

Codes: [Does the text represent or advocate a message?] [How is the text situated in broader society?]
No memos

Without prejudice to the requirements stemming from the European

Agreement on the Abolition of Visas for Refugees signed at Strasbourg on 20 April 1959, recognised refugees and stateless persons shall be required to be in possession of a visa when crossing the external borders of the Member States if the third country in which they are resident and which has issued them with their travel document is a third country listed in Annex I to this Regulation.

P 2: Regulation No539-2001.pdf - 2:17 [The following shall also be ex..] (4:1542-5:209) (Super)

Codes: [How is the text situated in broader society?]

No memos

The following shall also be exempt from the visa requirement:

— the nationals of third countries listed in Annex I to this Regulation who are holders of a local border traffic card issued by the Member States pursuant to Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention (

1

) when these holders exercise their right within the context of the Local Border Traffic regime;

— school pupils who are nationals of a third country listed in Annex I and who reside in a Member State applying Council Decision 94/795/JHA of 30 November 1994 on a joint action adopted by the Council on the basis of Article K.3.2.b of the Treaty on European Union concerning travel facilities for school pupils from third countries resident in a Member State (

2

) and are travelling in the context of a school excursion as members of a group of school pupils accompanied by a teacher from the school in question;

▼B

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(

1

) OJ L 405, 20.12.2006, p. 1.

(

2

) OJ L 327, 19.12.1994, p. 1.— recognised refugees and stateless persons and other persons who do not hold the nationality of any country who reside in a Member State and are holders of a travel document issued by that Member State.

P 2: Regulation No539-2001.pdf - 2:18 [Common list referred to in Art..] (9:10-13:642) (Super)

Codes: [How is the text situated in broader society?]

No memos

Common list referred to in Article 1(1)

1. STATES

Afghanistan

▼M7

▼B

Algeria

Angola

▼M5

▼C1

▼B

Armenia

Azerbaijan

▼M5

▼C1

▼B

Bahrain

Bangladesh

▼M5

▼C1

▼B

Belarus

Belize

Benin

Bhutan

▼M5

▼C1

Bolivia

▼M7

▼B

Botswana

Burkina Faso

Burma/Myanmar

Burundi

Cambodia

Cameroon

Cape Verde

Central African Republic

Chad

China

Colombia

Congo

Côte d'Ivoire

Cuba

▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 9Democratic Republic of the Congo

Djibouti

Dominica

Dominican Republic

▼M5

▼C1

▼M2

Ecuador

▼B

Egypt

Equatorial Guinea

Eritrea
Ethiopia
Fiji

▼M6

▼B

Gabon
Gambia
Georgia
Ghana
Grenada
Guinea
Guinea-Bissau
Guyana
Haiti
India
Indonesia
Iran
Iraq
Jamaica
Jordan
Kazakhstan
Kenya
Kiribati
Kuwait
Kyrgyzstan
Laos
Lebanon
Lesotho
Liberia
Libya
Madagascar
Malawi

▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 10Maldives

Mali

Marshall Islands

Mauritania

▼M5

▼C1

▼B

Micronesia

Moldova

Mongolia

▼M6

▼B

Morocco

Mozambique

Namibia

Nauru

Nepal

Niger

Nigeria

North Korea

▼M8

▼B

Oman

Pakistan

Palau

Papua New Guinea

Peru

Philippines

Qatar

Russia

Rwanda

▼M5

▼C1

▼B

Saint Lucia

Saint Vincent and the Grenadines

▼M5

▼C1

Samoa

▼B

São Tomé and Príncipe

Saudi Arabia

Senegal

▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 11_____

▼M5

▼C1

▼B

Sierra Leone

Solomon Islands

Somalia

South Africa

Sri Lanka

Sudan

Surinam

Swaziland

Syria

Tajikistan

Tanzania

Thailand

The Comoros

▼M5

▼C1

Timor-Leste

▼B

Togo

Tonga

Trinidad and Tobago

Tunisia

Turkey

Turkmenistan

Tuvalu

Uganda
Ukraine
United Arab Emirates
Uzbekistan
Vanuatu
Vietnam
▼M5
▼C1

▼B
Yemen
Zambia
Zimbabwe

▼M6
2001R0539 — EN — 11.01.2011 — 007.001 — 122. ENTITIES AND TERRITORIAL AUTHORITIES THAT ARE NOT
RECOGNISED AS STATES BY AT LEAST ONE MEMBER STATE
▼M2

▼B
Palestinian Authority
▼M8

▼M6
Kosovo as defined by the United Nations Security Council Resolution 1244 of
10 June 1999

▼M5
▼C1
3. BRITISH CITIZENS WHO ARE NOT NATIONALS OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR
THE PURPOSES OF COMMUNITY LAW:
British overseas territories citizens who do not have the right of abode in the
United Kingdom
British overseas citizens
British subjects who do not have the right of abode in the United Kingdom
British protected persons

P 2: Regulation No539-2001.pdf - 2:19 [Common list referred to in Art..] (14:11-16:422) (Super)

Codes: [How is the text situated in broader society?]

No memos

Common list referred to in Article 1(2)

1. STATES

▼M7

Albania (

1

)

▼B

Andorra

▼M5

▼C1

Antigua and Barbuda (

2

)

▼B

Argentina

Australia

▼M5

▼C1

Bahamy (

2

)

Barbados (

2

)

▼M7

Bosnia and Herzegovina (

1

)

▼B

Brazil

▼M5

▼C1

Brunei Darussalam

▼M4

▼B

Canada

Chile

Costa Rica

Croatia

▼A1

▼M2

▼A1

▼M6

former Yugoslav Republic of Macedonia (

3

)

▼B

Guatemala

Holy See

Honduras

▼A1

▼B

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(

1

) The exemption from the visa requirement applies only to holders of biometric passports.

(

2

) The exemption from the visa requirement will apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Community.

(

3

) The visa requirement exemption applies only to holders of biometric passports.Israel

Japan

▼A1

▼B

Malaysia

▼A1

▼M5

▼C1

Mauritius (

1

)

▼B

Mexico

Monaco

▼M6

Montenegro (

2

)

▼B

New Zealand

Nicaragua

Panama

Paraguay

▼A1

▼M4

▼B

Salvador

San Marino

▼M6

Serbia (excluding holders of Serbian passports issued by the Serbian Coordination Directorate (in Serbian: Koordinaciona uprava)) (

2

)

▼M5

▼C1

Seychelles (

1

)

▼B

Singapore

▼A1

▼B

South Korea

▼M5

▼C1

Saint Kitts and Nevis (

1

)

▼M2

▼B

United States of America

Uruguay

Venezuela

▼B

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(

1

) The exemption from the visa requirement will apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Community.

(

2

) The visa requirement exemption applies only to holders of biometric passports.2. SPECIAL ADMINISTRATIVE REGIONS OF THE PEOPLE'S REPUBLIC OF CHINA

Hong Kong SAR (

1

)

Macao SAR (

2

)

▼M5

▼C1

3. BRITISH CITIZENS WHO ARE NOT NATIONALS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR THE PURPOSES OF COMMUNITY LAW:

British nationals (overseas)

▼M8

4. ENTITIES AND TERRITORIAL AUTHORITIES THAT ARE NOT RECOGNISED AS STATES BY AT LEAST ONE MEMBER STATE:

Taiwan (

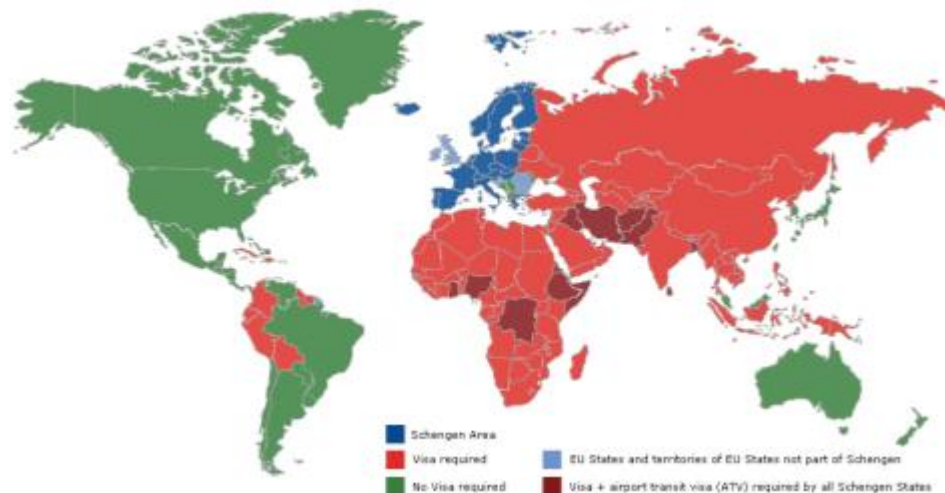
3

)

P 3: Visa requirements for the Schengen Area map.png - 3:1 [Visa requirements for the Sche..] (47:556) (Super)

Codes: [How is the text situated in broader society?]

No memos



P 4: EU Visa Code, consolidated version.pdf - 4:1 [REGULATION (EC) No 810/2009 OF..] (1:125-1:256) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

REGULATION (EC) No 810/2009 OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL
of 13 July 2009
establishing a Community Code on Visas

P 4: EU Visa Code, consolidated version.pdf - 4:2 [As regards visa policy, the es..] (2:988-2:1711) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

As regards visa policy, the establishment of a 'common corpus'
of legislation, particularly via the consolidation and development
of the *acquis* (the relevant provisions of the Convention imple
menting the Schengen Agreement of 14 June 1985 (

2

) and the

Common Consular Instructions (

3

), is one of the fundamental
components of 'further development of the common visa policy
as part of a multi-layer system aimed at facilitating legitimate
travel and tackling illegal immigration through further harmon
isation of national legislation and handling practices at local
consular missions', as defined in the Hague Programme:
strengthening freedom, security and justice in the European
Union (

4

).

P 4: EU Visa Code, consolidated version.pdf - 4:3 [When a Member State hosts the ..] (5:1851-5:2025) (Super)

Codes: [How is the text situated in broader society?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

When a Member State hosts the Olympic Games and the Para
lympic Games, a particular scheme facilitating the issuing of

visas to members of the Olympic family should apply.

P 5: Uniform Format Visa Sticker.pdf - 5:1 [THE COUNCIL OF THE EUROPEAN UN..] (1:249-1:643) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty establishing the European Community, in particular Article 100c
(3) thereof,
Having regard to the proposal from the Commission,
Having regard to the opinion of the European Parliament,
Whereas Article 100c (3) of the Treaty requires the Council to adopt measures relating to a
uniform format for visas before 1 January 1996;

P 6: Uniform Visa Sticker image.jpg - 6:1 [Uniform Visa Sticker image.jpg..] (70:264) (Super)

Codes: [How is the text situated in broader society?]

No memos



P 7: Visa Reciprocity Mechanism.pdf - 7:1 [THE COUNCIL OF THE EUROPEAN UN..] (1:300-1:333) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

P 7: Visa Reciprocity Mechanism.pdf - 7:2 [aving regard to the Treaty est..] (1:337-1:447) (Super)

Codes: [How is the text situated in broader society?]

No memos

aving regard to the Treaty establishing the European
Community, and in particular Article 62(2)(b)(i) thereof,

P 7: Visa Reciprocity Mechanism.pdf - 7:3 [Having regard to the proposal ..] (1:450-1:499) (Super)

Codes: [How is the text situated in broader society?]

No memos

Having regard to the proposal from the Commission,

P 7: Visa Reciprocity Mechanism.pdf - 7:4 [Having regard to the opinion o..] (1:502-1:556) (Super)

Codes: [How is the text situated in broader society?]

No memos

Having regard to the opinion of the European Parliament

P 7: Visa Reciprocity Mechanism.pdf - 7:5 [listing the third countries wh..] (1:91-1:297) (Super)

Codes: [How is the text situated in broader society?]

No memos

listing the third countries whose nationals must be in
possession of visas when crossing the external borders and those whose nationals are exempt
from that requirement as regards the reciprocity mechanism

P 7: Visa Reciprocity Mechanism.pdf - 7:6 [Solidarity with the Member Sta..] (1:981-1:1134) (Super)

Codes: [How is the text situated in broader society?]

No memos

Solidarity with the Member States experiencing situations of non-reciprocity requires that the existing mechanism be adapted so as to make it effective.

P 7: Visa Reciprocity Mechanism.pdf - 7:7 [Given the seriousness of such ..] (1:1141-1:1545) (Super)

Codes: [How is the text situated in broader society?]

No memos

Given the seriousness of such situations of non-reciprocity, it is essential that they should be notified without fail by the Member State(s) concerned. To ensure that the third country in question again applies visa-free travel to nationals of the Member States concerned, a mechanism should be provided which will combine measures at variable levels and intensities that can be rapidly carried out

P 7: Visa Reciprocity Mechanism.pdf - 7:8 [As regards Iceland and Norway,..] (1:2829-1:3393) (Super)

Codes: [How is the text situated in broader society?]

No memos

As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis, within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (3), which fall within the area referred to in Article 1(B) of Council Decision 1999/437/EC of

17 May 1999 on certain arrangements for the application of that Agreement (4).

P 7: Visa Reciprocity Mechanism.pdf - 7:9 [The United Kingdom and Ireland..] (1:3400-1:3602) (Super)

Codes: [How is the text situated in broader society?]

No memos

The United Kingdom and Ireland are not bound by Regulation (EC) No 539/2001. They are therefore not taking part in the adoption of this Regulation and are not bound by it or subject to its application.

P 7: Visa Reciprocity Mechanism.pdf - 7:10 [As regards Switzerland, this R..] (1:3609-1:3966) (Super)

Codes: [How is the text situated in broader society?]

No memos

As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement signed between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (5),

P 8: Visa Facilitation Agreement Albania.pdf - 8:1 [AGREEMENT between the European..] (1:1-1:115) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Community and the Republic of Albania on the facilitation of the issuance of visas

P 8: Visa Facilitation Agreement Albania.pdf - 8:2 [THE EUROPEAN COMMUNITY, herein..] (1:118-1:259) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN COMMUNITY,
hereinafter referred to as 'the Community',
and
THE REPUBLIC OF ALBANIA,
hereinafter referred to as 'the Parties',

P 8: Visa Facilitation Agreement Albania.pdf - 8:3 [For the following categories o..] (2:1389-2:1558) (Super)

Codes: [How is the text situated in broader society?]

No memos

For the following categories of citizens of the Republic of
Albania the following documents are sufficient for justifying the
purpose of the journey to the other Party:

P 8: Visa Facilitation Agreement Albania.pdf - 8:4 [for members of official delega..] (2:1565-2:1599) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of official delegations

P 8: Visa Facilitation Agreement Albania.pdf - 8:5 [for business people and repres..] (2:2127-2:2193) (Super)

Codes: [How is the text situated in broader society?]

No memos

for business people and representatives of business
organisations:

P 8: Visa Facilitation Agreement Albania.pdf - 8:6 [for journalists:] (2:2576-2:2591) (Super)

Codes: [How is the text situated in broader society?]

No memos

for journalists:

P 8: Visa Facilitation Agreement Albania.pdf - 8:7 [for persons participating in s..] (2:2852-2:2979) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons participating in scientific, cultural and artistic activities, including university and other exchange programmes:

P 8: Visa Facilitation Agreement Albania.pdf - 8:8 [for representatives of civil so..] (2:3070-2:3259) (Super)

Codes: [How is the text situated in broader society?]

No memos

for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

P 8: Visa Facilitation Agreement Albania.pdf - 8:9 [for pupils, students, post-gra..] (2:3559-2:3795) (Super)

Codes: [How is the text situated in broader society?]

No memos

for pupils, students, post-graduate students 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:

P 8: Visa Facilitation Agreement Albania.pdf - 8:10 [for participants in internatio..] (2:3983-2:4088) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in international sports events and persons accompanying them in a professional capacity:

P 8: Visa Facilitation Agreement Albania.pdf - 8:11 [for participants in official e..] (2:4248-2:4322) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in official exchange programmes organised
by twin cities:

P 8: Visa Facilitation Agreement Albania.pdf - 8:12 [for close relatives — spouse, ..] (3:5-3:212) (Super)

Codes: [How is the text situated in broader society?]

No memos

for close relatives — spouse, children (including adopted),
parents (including custodians), grandparents and grandchildren — visiting Albanian citizens legally residing in the territory of the Member States:

P 8: Visa Facilitation Agreement Albania.pdf - 8:13 [for visiting military and civi..] (3:262-3:308) (Super)

Codes: [How is the text situated in broader society?]

No memos

for visiting military and civil burial grounds:

P 8: Visa Facilitation Agreement Albania.pdf - 8:14 [for persons politically persec..] (3:472-3:562) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons politically persecuted during the communist
regime in the Republic of Albania:

P 8: Visa Facilitation Agreement Albania.pdf - 8:15 [for drivers conducting interna..] (3:1089-3:1261) (Super)

Codes: [How is the text situated in broader society?]

No memos

for drivers conducting international cargo and passenger
transportation services to the territories of the Member States
in vehicles registered in the Republic of Albania:

P 8: Visa Facilitation Agreement Albania.pdf - 8:16 [for persons travelling for tou...] (3:1474-3:1508) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons travelling for tourism:

P 8: Visa Facilitation Agreement Albania.pdf - 8:17 [for persons visiting for medical...] (3:1709-3:1784) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons visiting for medical reasons and necessary accompanying persons:

P 8: Visa Facilitation Agreement Albania.pdf - 8:18 [for members of the professions ..] (3:2012-3:2186) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

P 8: Visa Facilitation Agreement Albania.pdf - 8:19 [for members of train, refrigerator...] (3:2310-3:2442) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States:

P 8: Visa Facilitation Agreement Albania.pdf - 8:20 [for persons visiting for burial...] (3:2592-3:2634) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons visiting for burial ceremonies:

P 8: Visa Facilitation Agreement Albania.pdf - 8:21 [for representatives of the reli..] (3:2794-3:2842) (Super)

Codes: [How is the text situated in broader society?]

No memos

for representatives of the religious communities:

P 8: Visa Facilitation Agreement Albania.pdf - 8:22 [for the invited person] (3:3097-3:3118) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the invited person

P 8: Visa Facilitation Agreement Albania.pdf - 8:23 [for the inviting person] (3:3354-3:3376) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting person

P 8: Visa Facilitation Agreement Albania.pdf - 8:24 [for the inviting legal person,..] (3:3415-3:3468) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting legal person, company or organisation

P 8: Visa Facilitation Agreement Albania.pdf - 8:25 [members of the Council of Mini..] (3:4403-3:4490) (Super)

Codes: [How is the text situated in broader society?]

No memos

members of the Council of Ministers, Parliament, Constitutional Court and Supreme Court,

P 8: Visa Facilitation Agreement Albania.pdf - 8:26 [permanent members of official ..] (4:5-4:45) (Super)

Codes: [How is the text situated in broader society?]

No memos

permanent members of official delegations

P 8: Visa Facilitation Agreement Albania.pdf - 8:27 [spouses and children (includin..)] (4:325-4:363) (Super)

Codes: [How is the text situated in broader society?]

No memos

spouses and children (including adopted

P 8: Visa Facilitation Agreement Albania.pdf - 8:28 [members of official delegation..] (4:1030-4:1332) (Super)

Codes: [How is the text situated in broader society?]

No memos

members of official delegations who, following an official invitation addressed to the Republic of Albania, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

P 8: Visa Facilitation Agreement Albania.pdf - 8:29 [business people and representa..] (4:1339-4:1443) (Super)

Codes: [How is the text situated in broader society?]

No memos

business people and representatives of business organisations who regularly travel to the Member States;

P 8: Visa Facilitation Agreement Albania.pdf - 8:30 [persons participating in scien..] (4:1450-4:1615) (Super)

Codes: [How is the text situated in broader society?]

No memos

persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Member States;

P 8: Visa Facilitation Agreement Albania.pdf - 8:31 [participants in international ..] (4:1622-4:1723) (Super)

Codes: [How is the text situated in broader society?]
No memos

participants in international sports events and persons
accompanying them in a professional capacity;

P 8: Visa Facilitation Agreement Albania.pdf - 8:32 [journalists;] (4:1730-4:1741) (Super)

Codes: [How is the text situated in broader society?]
No memos

journalists;

P 8: Visa Facilitation Agreement Albania.pdf - 8:33 [participants in official excha..] (4:1748-4:1818) (Super)

Codes: [How is the text situated in broader society?]
No memos

participants in official exchange programmes organised by
twin cities;

P 8: Visa Facilitation Agreement Albania.pdf - 8:34 [drivers conducting internation..] (4:1825-4:1992) (Super)

Codes: [How is the text situated in broader society?]
No memos

drivers conducting international cargo and passenger transportation services to the territories of the Member States in
vehicles registered in the Republic of Albania;

P 8: Visa Facilitation Agreement Albania.pdf - 8:35 [persons needing to visit regul..] (4:1999-4:2089) (Super)

Codes: [How is the text situated in broader society?]
No memos

persons needing to visit regularly for medical reasons and
necessary accompanying persons;

P 8: Visa Facilitation Agreement Albania.pdf - 8:36 [members of train, refrigerator ..] (4:2096-4:2224) (Super)

Codes: [How is the text situated in broader society?]

No memos

members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

P 8: Visa Facilitation Agreement Albania.pdf - 8:37 [students and post-graduate stu...] (4:2231-4:2390) (Super)

Codes: [How is the text situated in broader society?]

No memos

students and post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;

P 8: Visa Facilitation Agreement Albania.pdf - 8:38 [representatives of the religious...] (4:2397-4:2512) (Super)

Codes: [How is the text situated in broader society?]

No memos

representatives of the religious communities in the Republic of Albania, who regularly travel to the Member States;

P 8: Visa Facilitation Agreement Albania.pdf - 8:39 [representatives of civil society...] (4:2519-4:2719) (Super)

Codes: [How is the text situated in broader society?]

No memos

representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;

P 8: Visa Facilitation Agreement Albania.pdf - 8:40 [members of the professions par...] (4:2726-4:2895) (Super)

Codes: [How is the text situated in broader society?]

No memos

members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States.

P 8: Visa Facilitation Agreement Albania.pdf - 8:41 [lose relatives — spouses, chil..] (4:4221-4:4275) (Super)

Codes: [How is the text situated in broader society?]

No memos

lose relatives — spouses, children (including adopted),

P 8: Visa Facilitation Agreement Albania.pdf - 8:42 [members of official delegation..] (4:4424-4:4454) (Super)

Codes: [How is the text situated in broader society?]

No memos

members of official delegations

P 8: Visa Facilitation Agreement Albania.pdf - 8:43 [members of the Council of Mini..] (4:4723-4:4888) (Super)

Codes: [How is the text situated in broader society?]

No memos

members of the Council of Ministers, Parliament, Constitutional Court and Supreme Court, if they are not exempted from the visa requirement by the present Agreement;

P 8: Visa Facilitation Agreement Albania.pdf - 8:44 [pupils, students, post-graduat..] (4:4895-4:5031) (Super)

Codes: [How is the text situated in broader society?]

No memos

pupils, students, post-graduate students and accompanying teachers who undertake trips for the purpose of study or educational training;

P 8: Visa Facilitation Agreement Albania.pdf - 8:45 [children under six years of ag..] (4:5038-4:5069) (Super)

Codes: [How is the text situated in broader society?]

No memos

children under six years of age;

P 8: Visa Facilitation Agreement Albania.pdf - 8:46 [disabled persons and the perso..] (4:5076-4:5140) (Super)

Codes: [How is the text situated in broader society?]

No memos

disabled persons and the person accompanying them, if necessary;

P 8: Visa Facilitation Agreement Albania.pdf - 8:47 [persons who have presented doc..] (5:5-5:281) (Super)

Codes: [How is the text situated in broader society?]

No memos

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;

P 8: Visa Facilitation Agreement Albania.pdf - 8:48 [participants in international ..] (5:288-5:389) (Super)

Codes: [How is the text situated in broader society?]

No memos

participants in international sports events and persons accompanying them in a professional capacity;

P 8: Visa Facilitation Agreement Albania.pdf - 8:49 [persons participating in scien..] (5:396-5:516) (Super)

Codes: [How is the text situated in broader society?]

No memos

persons participating in scientific, cultural and artistic activities including university and other exchange programmes;

P 8: Visa Facilitation Agreement Albania.pdf - 8:50 [participants in official excha..] (5:523-5:593) (Super)

Codes: [How is the text situated in broader society?]

No memos

participants in official exchange programmes organised by twin cities;

P 8: Visa Facilitation Agreement Albania.pdf - 8:51 [politically persecuted persons..] (5:600-5:658) (Super)

Codes: [How is the text situated in broader society?]

No memos

politically persecuted persons during the communist regime;

P 8: Visa Facilitation Agreement Albania.pdf - 8:52 [pensioners:] (5:665-5:675) (Super)

Codes: [How is the text situated in broader society?]

No memos

pensioners;

P 8: Visa Facilitation Agreement Albania.pdf - 8:53 [representatives of civil socie..] (5:682-5:1400) (Super)

Codes: [How is the text situated in broader society?]

No memos

representatives of civil society organisations travelling to attend meetings, seminars, exchange programmes or training courses;

- (n) journalists;
- (o) representatives of religious communities registered in the Republic of Albania;
- (p) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Albania;
- (q) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;
- (r) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States.

P 8: Visa Facilitation Agreement Albania.pdf - 8:54 [Citizens of the Republic of Al..] (5:3033-5:3358) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizens of the Republic of Albania, holders of valid diplomatic passports can enter, leave and transit through the territories of the Member States without visas.

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

P 8: Visa Facilitation Agreement Albania.pdf - 8:55 [The Parties shall set up a Joi..] (5:3790-5:4103) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Parties shall set up a Joint Committee of experts (hereinafter referred to as 'the Committee'), composed of representatives of the European Community and of the Republic of Albania.

The Community shall be represented by the Commission of the European Communities, assisted by experts from the Member States.

P 8: Visa Facilitation Agreement Albania.pdf - 8:56 [JOINT DECLARATION CONCERNING D..] (9:1-9:511) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 posts of the Kingdom of Denmark.

In such circumstances, it is desirable that the authorities of Denmark and of the Republic of Albania 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 Community and the Republic of Albania

P 8: Visa Facilitation Agreement Albania.pdf - 8:57 [JOINT DECLARATION CONCERNING T..] (9:515-9:889) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 the Republic of Albania, conclude bilateral agreements on the facilitation of the issuance of visas.

P 8: Visa Facilitation Agreement Albania.pdf - 8:58 [JOINT DECLARATION CONCERNING I..] (9:892-9:1527) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING ICELAND AND NORWAY

The Parties take note of the close relationship between the European Community and Norway and Iceland, particularly by virtue of the Agreement of 18 May 1999 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 and the Republic of Albania conclude, without delay, bilateral agreements on the facilitation of the issuance of short-stay visas in similar terms as the Agreement between the European Community and the Republic of Albania.

P 8: Visa Facilitation Agreement Albania.pdf - 8:59 [JOINT DECLARATION CONCERNING S..] (9:1530-9:2044) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING SWISS CONFEDERATION AND LIECHTENSTEIN

(if needed)

If the Agreement between the EU, the EC and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen acquis and the Protocols to this Agreement concerning Liechtenstein has entered into force by the time negotiations with the Republic of Albania have concluded, a similar declaration will also be made in respect of Switzerland and Liechtenstein.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:1 [AGREEMENT between the European..] (1:1-1:112) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

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

P 9: Visa Facilitation Agreement Armenia.pdf - 9:2 [THE EUROPEAN UNION, hereinafte..] (1:115-1:285) (Super)

Codes: [How is the text situated in broader society?]

No memos

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',

P 9: Visa Facilitation Agreement Armenia.pdf - 9:3 [If Armenia reintroduces the vi..] (1:2965-1:3253) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

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,

P 9: Visa Facilitation Agreement Armenia.pdf - 9:4 [The visa facilitations provide..] (1:3286-1:3554) (Super)

Codes: [How is the text situated in broader society?]

No memos

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.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:5 [For the following categories o..] (2:1021-2:1479) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 Union residing in the territory of the Member State of which they are nationals:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:6 [for members of official delega..] (2:1529-2:1874) (Super)

Codes: [How is the text situated in broader society?]

No memos

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:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:7 [for pupils, students, post-gra..] (2:2200-2:2442) (Super)

Codes: [How is the text situated in broader society?]

No memos

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:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:8 [for persons travelling for med..] (2:2612-2:2691) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons travelling for medical reasons and necessary accompanying persons:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:9 [for journalists and technical ..] (2:2924-2:3005) (Super)

Codes: [How is the text situated in broader society?]

No memos

for journalists and technical crew accompanying them in a professional capacity:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:10 [for participants in internatio..] (2:3376-2:3481) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P 9: Visa Facilitation Agreement Armenia.pdf - 9:11 [for business people and repres..] (2:3643-2:3711) (Super)

Codes: [How is the text situated in broader society?]

No memos

for business people and representatives of business organizations:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:12 [for members of the professions..] (2:4134-2:4269) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P 9: Visa Facilitation Agreement Armenia.pdf - 9:13 [for representatives of civil s..] (2:4394-2:4743) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P 9: Visa Facilitation Agreement Armenia.pdf - 9:14 [for persons participating in s..] (3:5-3:143) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P 9: Visa Facilitation Agreement Armenia.pdf - 9:15 [for drivers conducting interna..] (3:234-3:392) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P 9: Visa Facilitation Agreement Armenia.pdf - 9:16 [for participants of the offici..] (3:605-3:713) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P 9: Visa Facilitation Agreement Armenia.pdf - 9:17 [for visiting military and civi..] (3:821-3:867) (Super)

Codes: [How is the text situated in broader society?]

No memos

for visiting military and civil burial grounds:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:18 [for the invited person: name a..] (3:1131-3:1365) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P 9: Visa Facilitation Agreement Armenia.pdf - 9:19 [for the inviting person:] (3:1373-3:1396) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting person:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:20 [for the inviting legal person,..] (3:1430-3:1484) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting legal person, company or organisation:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:21 [Diplomatic missions and consul..] (3:2256-3:2727) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 Union residing in the territory of the Member State of which they are nationals;

P 9: Visa Facilitation Agreement Armenia.pdf - 9:22 [members of national and region..] (3:2734-3:3239) (Super)

Codes: [How is the text situated in broader society?]

No memos

members of national and regional governments and of constitutional and supreme courts if they are not exempted from the visa requirement by this 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;

P 9: Visa Facilitation Agreement Armenia.pdf - 9:23 [Diplomatic missions and consul..] (3:3911-4:1568) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 and 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;

L 289/4 Official Journal of the European Union 31.10.2013 EN(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.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:24 [Without prejudice to paragraph..] (4:2861-5:429) (Super)

Codes: [How is the text situated in broader society?]

No memos

Without prejudice to paragraph 3 of this Article, 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 grand children – of citizens of Armenia legally residing in the territory of the Member States, or citizens of the 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.

31.10.2013 Official Journal of the European Union L 289/5 EN3. 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.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:25 [The Parties shall set up a Joi..] (5:3361-5:3619) (Super)

Codes: [How is the text situated in broader society?]

No memos

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.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:26 [Joint Declaration concerning D..] (10:1-10:461) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 Union and Armenia.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:27 [Joint declaration concerning t..] (10:464-10:825) (Super)

Codes: [How is the text situated in broader society?]

No memos

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.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:28 [Joint declaration concerning I..] (10:828-10:1523) (Super)

Codes: [How is the text situated in broader society?]

No memos

Joint declaration concerning Iceland, Norway, Switzerland and Liechtenstein

The Parties take note of the close relationship between the 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 Union and Armenia.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:1 [AGREEMENT between the European..] (1:1-1:121) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Union and the Republic of Azerbaijan on the facilitation of the issuance of visas

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:2 [THE EUROPEAN UNION hereinafter..] (1:125-1:263) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN UNION hereinafter referred to as 'the Union';
and

THE REPUBLIC OF AZERBAIJAN,
hereinafter referred to as 'the Parties';

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:3 [The purpose of this Agreement ..] (1:2087-1:2315) (Super)

Codes: [How is the text situated in broader society?]

No memos

The purpose of this Agreement is to facilitate, on the basis of reciprocity, the issuance of visas for an intended stay of no more than 90 days per period of 180 days to the citizens of the Union and the Republic of Azerbaijan.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:4 [The visa facilitations provide..] (1:2351-1:2710) (Super)

Codes: [How is the text situated in broader society?]

No memos

The visa facilitations provided in this Agreement shall apply to citizens of the Union and of the Republic of Azerbaijan only insofar as they are not exempted from the visa requirement by the laws and regulations of the Republic of Azerbaijan, of the Union or the Member States, this Agreement or other international Agreements.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:5 [For the following categories o..] (2:1390-2:2178) (Super)

Codes: [How is the text situated in broader society?]

No memos

For the following categories of citizens of the Union and of the Republic of Azerbaijan, 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 and grandchildren — visiting citizens of the European Union legally residing in the territory of the Republic of Azerbaijan or citizens of the Republic of Azerbaijan 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, or citizens of the Republic of Azerbaijan residing in the territory of the Republic of Azerbaijan:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:6 [without prejudice to Article 1..] (2:2232-2:2742) (Super)

Codes: [How is the text situated in broader society?]

No memos

without prejudice to Article 10, for members of official delegations including permanent members of such delegations who, following an official invitation addressed to the Member States, the European Union or the Republic of Azerbaijan, shall participate in official meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Republic of Azerbaijan or one of the Member States by intergovernmental organisations:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:7 [for business people and repres..] (2:3186-2:3251) (Super)

Codes: [How is the text situated in broader society?]

No memos

for business people and representatives of business organisations:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:8 [for drivers conducting interna..] (2:3785-2:4053) (Super)

Codes: [How is the text situated in broader society?]

No memos

for drivers conducting international cargo and passenger transportation services between the territories of the Republic of Azerbaijan and the Member States in vehicles registered in the Member States or in the Republic of Azerbaijan:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:9 [for pupils, students, post-gra..] (3:7-3:272) (Super)

Codes: [How is the text situated in broader society?]

No memos

for pupils, students, post-graduate students 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:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:10 [for persons participating in s..] (3:480-3:629) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:11 [for journalists and technical ..] (3:726-3:806) (Super)

Codes: [How is the text situated in broader society?]

No memos

for journalists and technical crew accompanying them in a professional capacity:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:12 [for participants in internatio..] (3:1206-3:1311) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in international sports events and persons accompanying them in a professional capacity:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:13 [for participants in official e..] (3:1608-3:1682) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in official exchange programmes organized by twin cities:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:14 [for persons travelling for med..] (3:1769-3:1846) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons travelling for medical reasons and necessary accompanying persons:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:15 [for members of the professions..] (3:2078-3:2290) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held on the territory of the Republic of Azerbaijan or Member States:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:16 [for representatives of civil s..] (3:2420-3:2624) (Super)

Codes: [How is the text situated in broader society?]

No memos

for representatives of civil society organizations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:17 [relatives visiting for burial ..] (3:2948-3:2988) (Super)

Codes: [How is the text situated in broader society?]

No memos

relatives visiting for burial ceremonies:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:18 [for visiting military and civi..] (3:3171-3:3218) (Super)

Codes: [How is the text situated in broader society?]

No memos

for visiting military and civil burial grounds:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:19 [for the invited person:] (3:3502-3:3526) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the invited person:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:20 [for the inviting person:] (3:3767-3:3790) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting person:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:21 [for the inviting legal person,..] (4:7-4:61) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting legal person, company or organisation:

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:22 [Diplomatic missions and consul..] (4:968-4:2231) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

- (a) spouses, children (including adopted), who are under the age of 21 or are dependant, parents (including custodians), visiting citizens of the European Union legally residing in the territory of the Republic of Azerbaijan or citizens of the Republic of Azerbaijan 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, or citizens of the Republic of Azerbaijan residing in the territory of the Republic of Azerbaijan;
- (b) permanent members of official delegations, who following an official invitation addressed to the Member States, the European Union or the Republic of Azerbaijan, are to participate regularly in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Republic of the Azerbaijan or one of the Member States by intergovernmental organisations;

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:23 [By way of derogation from the ..] (4:2235-4:3009) (Super)

Codes: [How is the text situated in broader society?]

No memos

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, in particular where:

- in the case of the persons referred to in point (a), the period of validity of the authorisation for legal residence of citizens of the Republic of Azerbaijan legally residing in one of the Member States or citizens of the Union legally residing in the Republic of Azerbaijan;
- in the case of the persons referred to in point (b), the term of the validity of the status as a permanent member of an official delegation, is less than five years.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:24 [Diplomatic missions and consul..] (4:3016-5:1179) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member States and of the Republic of Azerbaijan shall issue multiple-entry visas with the term of validity of one year to the following categories of citizens, 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) students, post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;
- (b) journalists and technical crew accompanying them in a professional capacity;
- (c) participants in official exchange programmes organised by twin cities;
- (d) drivers conducting international cargo and passenger transportation services between the territories of the Republic of Azerbaijan and the Member States in vehicles registered in the Member States or the Republic of Azerbaijan;
- (e) persons needing to visit regularly for medical reasons and necessary accompanying persons;
- (f) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Republic of Azerbaijan or the Member States;

L 128/52 EN Official Journal of the European Union 30.4.2014 (g) representatives of civil society organizations travelling regularly to the Republic of Azerbaijan or the Member States

for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;

- (h) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Republic of Azerbaijan or the Member States;
- (i) participants in international sports events and persons accompanying them in a professional capacity;
- (j) members of official delegations who, following an official invitation addressed to the Member State, the European Union or the Republic of Azerbaijan, shall participate regularly in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Republic of Azerbaijan or of the Member States by intergovernmental organisations;
- (k) business people and representatives of business organisations who regularly travel to the Republic of Azerbaijan or the Member States.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:25 [Without prejudice to paragraph..] (5:2639-6:661) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

- (a) for close relatives — spouses, children (including adopted), parents (including custodians), grandparents and grand-

children — of citizens of the European Union legally residing in the territory of the Republic of Azerbaijan, of citizens of the Republic of Azerbaijan legally residing in the territory of the Member States, of citizens of the European Union residing in the territory of the Member State of which they are nationals, and of citizens of the Republic of Azerbaijan residing in the territory of the Republic of Azerbaijan;

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

(c) pupils, students, post-graduate students 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;

(d) persons with disabilities and persons accompanying them, if necessary;

(e) participants in international sports events and persons accompanying them in a professional capacity;

(f) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes;

30.4.2014 EN Official Journal of the European Union L 128/53 (g) 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;

(h) representatives of civil society organizations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;

(i) pensioners;

(j) children under the age of 12;

(k) journalists and technical crew accompanying them in a professional capacity.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:26 [Citizens of the European Union..] (7:682-7:1119) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizens of the European Union and the Republic of Azerbaijan who are holders of valid diplomatic passports may enter, leave and transit through the territories of the Republic of Azerbaijan or the Member States without visas.

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

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:27 [The Parties shall set up a Joi..] (7:1705-7:2020) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Parties shall set up a Joint Committee of experts (hereinafter referred to as 'the Committee'), composed of representatives of the Union and of the Republic of Azerbaijan. The Union shall be represented by the European Commission, assisted by experts from the Member States.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:28 [JOINT DECLARATION concerning D..] (11:1131-11:1692) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 desirable that the authorities of Denmark and of the Republic of Azerbaijan 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 the Republic of Azerbaijan.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:29 [JOINT DECLARATION concerning t..] (11:1698-11:2081) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 the Republic of Azerbaijan, conclude bilateral agreements on the facilitation of the issuance of visas.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:30 [JOINT DECLARATION concerning I..] (12:1-12:807) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 desirable that the authorities of Switzerland, Iceland, Liechtenstein, and Norway and the Republic of Azerbaijan 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 the Republic of Azerbaijan.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:1 [AGREEMENT between the European..] (1:1-1:114) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Community and Bosnia and Herzegovina on the facilitation of the issuance of visas

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:2 [THE EUROPEAN COMMUNITY, herein..] (1:117-1:257) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN COMMUNITY,
hereinafter referred to as 'the Community';
and
BOSNIA AND HERZEGOVINA,
hereinafter referred to as 'the Parties',

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:3 [the purpose of this Agreement i..] (1:1907-1:2087) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 nationals of Bosnia and Herzegovina.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:4 [If Bosnia and Herzegovina were..] (1:2093-1:2392) (Super)

Codes: [How is the text situated in broader society?]

No memos

If Bosnia and Herzegovina were to reintroduce the visa requirement for EU citizens or certain categories of EU citizens, the same facilitations granted under this agreement to the nationals of Bosnia and Herzegovina would automatically, on the basis of reciprocity, apply to EU citizens concerned.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:5 [The visa facilitations provide..] (1:2425-1:2714) (Super)

Codes: [How is the text situated in broader society?]

No memos

The visa facilitations provided in this Agreement shall apply to nationals of Bosnia and Herzegovina 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.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:6 [The national law of Bosnia and..] (1:2720-1:3038) (Super)

Codes: [How is the text situated in broader society?]

No memos

The national law of Bosnia and Herzegovina, 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.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:7 [For the following categories o..] (2:1082-2:1553) (Super)

Codes: [How is the text situated in broader society?]

No memos

For the following categories of nationals of Bosnia and Herzegovina the following documents are sufficient for justifying the purpose of the journey to the other Party:
(a) for members of official delegations who, following an official invitation addressed to Bosnia and Herzegovina, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental

organisations:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:8 [for business people and repres..] (2:1830-2:1896) (Super)

Codes: [How is the text situated in broader society?]

No memos

for business people and representatives of business
organisations:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:9 [for representatives of civil so..] (2:2282-2:2471) (Super)

Codes: [How is the text situated in broader society?]

No memos

for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of
exchange
programmes:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:10 [for drivers conducting interna..] (2:2771-2:2941) (Super)

Codes: [How is the text situated in broader society?]

No memos

for drivers conducting international cargo and passenger
transportation services to the territories of the Member States
in vehicles registered in Bosnia and Herzegovina

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:11 [for members of train, refriger..] (2:3088-2:3220) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of train, refrigerator and locomotive crews in
international trains, travelling to the territories of the Member States:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:12 [for journalists:] (2:3369-2:3384) (Super)

Codes: [How is the text situated in broader society?]
No memos

for journalists:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:13 [for persons participating in s..] (2:3645-2:3772) (Super)

Codes: [How is the text situated in broader society?]
No memos

for persons participating in scientific, cultural and artistic activities, including university and other exchange programmes:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:14 [for pupils, students, post-gra..] (2:3863-2:4099) (Super)

Codes: [How is the text situated in broader society?]
No memos

for pupils, students, post-graduate students 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:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:15 [for participants in internatio..] (3:5-3:110) (Super)

Codes: [How is the text situated in broader society?]
No memos

for participants in international sports events and persons accompanying them in a professional capacity:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:16 [for participants in official e..] (3:270-3:344) (Super)

Codes: [How is the text situated in broader society?]
No memos

for participants in official exchange programmes organised by twin cities:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:17 [for close relatives — spouse, ..] (3:426-3:652) (Super)

Codes: [How is the text situated in broader society?]

No memos

for close relatives — spouse, children (including adopted),
parents (including custodians), grandparents and grandchildren — visiting nationals of Bosnia and Herzegovina legally
residing in the territory of the Member States:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:18 [for persons visiting for medical..] (3:702-3:777) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons visiting for medical reasons and necessary accompanying persons:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:19 [for persons visiting for burial..] (3:1005-3:1047) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons visiting for burial ceremonies:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:20 [for representatives of the trad..] (3:1207-3:1377) (Super)

Codes: [How is the text situated in broader society?]

No memos

for representatives of the traditional religious communities in
Bosnia and Herzegovina visiting diasporas of Bosnia in
Herzegovina in the territory of the Member States:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:21 [for members of the professions ..] (3:1526-3:1700) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:22 [for visiting military and civil..] (3:1824-3:1870) (Super)

Codes: [How is the text situated in broader society?]

No memos

for visiting military and civil burial grounds:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:23 [for persons travelling for tourism] (3:2034-3:2068) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons travelling for tourism:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:24 [for the invited person] (3:2370-3:2391) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the invited person

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:25 [for the inviting person] (3:2627-3:2649) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting person

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:26 [for the inviting legal person,..] (3:2688-3:2741) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting legal person, company or organisation

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:27 [Diplomatic missions and consul..] (3:3492-4:305) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member

States shall issue multiple-entry visas with a term of validity of up to five years to the following categories of persons:

(a) members of the Court of Bosnia and Herzegovina and the prosecutor office of Bosnia and Herzegovina, if they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties, with a term of validity limited to their term of office if this is less than five years;

(b) permanent members of official delegations who, following an official invitation addressed to Bosnia and Herzegovina, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

19.12.2007 EN Official Journal of the European Union L 334/99(c) close relatives — spouse, children (including adopted), parents (including custodians) — visiting nationals of Bosnia and

Herzegovina 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.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:28 [Diplomatic missions and consul..] (4:311-4:2683) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member

States shall issue multiple-entry visas with a 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 addressed to Bosnia and Herzegovina, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental

organisations;

(b) business people and representatives of business organisations

who regularly travel to the Member States;

(c) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in Bosnia and Herzegovina;

(d) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(e) journalists;

(f) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Member States;

(g) students and post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;

(h) participants in international sports events and persons accompanying them in a professional capacity;

(i) participants in official exchange programmes organised by twin cities;

(j) persons needing to visit regularly for medical reasons and necessary accompanying persons;

(k) representatives of the traditional religious communities in Bosnia and Herzegovina visiting diasporas of Bosnia in Herzegovina in the territory of the Member States, who regularly travel to the Member States;

(l) representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;

(m) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:29 [Fees for processing the visa a..] (4:3907-5:1492) (Super)

Codes: [How is the text situated in broader society?]

No memos

Fees for processing the visa application are waived for the following categories of persons:

(a) close relatives — spouses, children (including adopted), parents (including custodians), grandparents and grandchildren of nationals of Bosnia and Herzegovina legally residing in the

territory of the Member States;

(b) members of official delegations who, following an official invitation addressed to Bosnia and Herzegovina, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(c) members of the Court of Bosnia and Herzegovina and the prosecutor office of Bosnia and Herzegovina, if they are not exempted from the visa requirement by the present Agreement;

(d) pupils, students, post-graduate students and accompanying teachers who undertake trips for the purpose of study or educational training;

(e) children under six years of age;

L 334/100 EN Official Journal of the European Union 19.12.2007 (f) disabled persons and the person accompanying them, if necessary;

(g) 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;

(h) participants in international sports events and persons accompanying them in a professional capacity;

(i) persons participating in scientific, cultural and artistic activities including university and other exchange programmes;

(j) participants in official exchange programmes organised by twin cities;

(k) journalists;

(l) representatives of the traditional religious communities in Bosnia and Herzegovina visiting diasporas of Bosnia in Herzegovina in the territory of the Member States;

(m) representatives of civil society organisations travelling to attend meetings, seminars, exchange programmes or training courses;

(n) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in Bosnia and Herzegovina;

(o) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(p) pensioners;

(q) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:30 [Nationals of Bosnia and Herzeg..] (5:3125-5:3450) (Super)

Codes: [How is the text situated in broader society?]

No memos

Nationals of Bosnia and Herzegovina, holders of valid diplomatic passports can enter, leave and transit through the territories of the Member States without visas.

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

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:31 [The Parties shall set up a Joi..] (5:3881-5:4193) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Parties shall set up a Joint Committee of experts (hereinafter referred to as 'the Committee'), composed of representatives of the European Community and of Bosnia and Herzegovina.

The Community shall be represented by the Commission of the European Communities, assisted by experts from the Member States.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:32 [JOINT DECLARATION CONCERNING D..] (9:1-9:509) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 posts of the Kingdom of Denmark.

In such circumstances, it is desirable that the authorities of Denmark and of Bosnia and Herzegovina 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 Community and Bosnia and Herzegovina.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:33 [JOINT DECLARATION CONCERNING T..] (9:512-9:884) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 Bosnia and Herzegovina, conclude bilateral agreements on the facilitation of the issuance of visas.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:34 [JOINT DECLARATION CONCERNING I..] (9:887-9:1520) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING ICELAND AND NORWAY

The Parties take note of the close relationship between the European Community and Norway and Iceland, particularly by virtue of the Agreement of 18 May 1999 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 and Bosnia and Herzegovina conclude, without delay, bilateral agreements on the facilitation of the issuance of short-stay visas in similar terms as the Agreement between the European Community and Bosnia and Herzegovina.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:35 [JOINT DECLARATION CONCERNING S..] (9:1523-9:2036) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING SWISS CONFEDERATION AND LIECHTENSTEIN

(if needed)

If the Agreement between the EU, the EC and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen acquis and the Protocols to this Agreement concerning Liechtenstein has entered into force by the time negotiations with Bosnia and Herzegovina have concluded, a similar declaration will also be made in respect of Switzerland and Liechtenstein.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:1 [AGREEMENT between the European..] (1:1-1:184) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:2 [THE EUROPEAN UNION, hereinafte..] (1:187-1:363) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN UNION, hereinafter referred to as 'the Union',
and
THE REPUBLIC OF CAPE VERDE, hereinafter referred to as 'Cape Verde',
Hereinafter referred to as 'the Parties',

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:3 [The purpose of this Agreement ..] (1:1964-1:2176) (Super)

Codes: [How is the text situated in broader society?]

No memos

The purpose of this Agreement is to facilitate, on the basis of reciprocity, the issue of visas to citizens of Cape Verde and of the Union for an intended stay of no more than 90 days per period of 180 days.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:4 [The measures to facilitate the..] (1:2209-1:2554) (Super)

Codes: [How is the text situated in broader society?]

No memos

The measures to facilitate the issue of visas set out in this Agreement shall apply to citizens of Cape Verde and of the Union only in so far as they are not exempt from visa requirements under the laws and regulations of the Union or its Member States or of Cape Verde, or under the present Agreement or other international agreements.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:5 [The national law of Cape Verde..] (1:2560-1:2867) (Super)

Codes: [How is the text situated in broader society?]

No memos

The national law of Cape Verde and of the Member States or the law of the Union shall apply to matters not covered by the provisions of this Agreement, such as refusal to issue a visa, recognition of travel documents, proof of sufficient means of subsistence, refusal of entry and expulsion measures.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:6 [Diplomatic missions and consul..] (2:46-2:1326) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member States and of Cape Verde shall issue multiple-entry visas valid for five years to the following categories of citizen:

- (a) members of national and regional governments and parliaments, constitutional courts, supreme courts or courts of auditors, if they are not exempt from visa requirements under this Agreement, in the exercise of their duties;
- (b) permanent members of official delegations who, following an official invitation addressed to Cape Verde, the Member States or the Union, take part in meetings, consultations, negotiations or exchange programmes, or in events in the territory of the Member States or Cape Verde organised on the initiative of intergovernmental organisations;
- (c) business people and company representatives who regularly travel to the Member States or to Cape Verde;
- (d) spouses, children (including adopted children) who are under the age of 21 or are dependent, and parents visiting either:
 - citizens of Cape Verde legally resident in the territory of a Member State or citizens of the Union legally resident in Cape Verde, or
 - citizens of the Union resident in the Member State of their nationality, or citizens of Cape Verde resident in Cape Verde.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:7 [Diplomatic missions and consul..] (2:2108-2:4246) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member States and Cape Verde shall issue multiple-entry visas valid for one year to the following categories of citizens, provided that during the previous year they have obtained at least one visa and that they have made use of it in accordance with the laws on entry and residence in the territory of the State in question:

- (a) representatives of civil society organisations travelling regularly to Member States or to Cape Verde for the purposes of educational training or to take part in seminars and conferences, including as part of exchange programmes;
- (b) practitioners of a liberal profession taking part in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States or to Cape Verde;
- (c) persons taking part in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Member States or to Cape Verde;
- (d) participants in international sports events and persons accompanying them in a professional capacity;
- (e) journalists and accredited persons accompanying them in a professional capacity;
- (f) school pupils, students, post-graduate students and accompanying teachers who undertake trips for the purposes of study or educational training, including exchange programmes and other school-related activities;
- (g) representatives of religious organisations recognised in Cape Verde or in the Member States who regularly travel to the Member States or to Cape Verde respectively;
- (h) persons visiting regularly for medical reasons;
- (i) participants in official exchange programmes organised by twinned towns or municipal authorities;
- (j) members of official delegations who, following an official

invitation addressed to Cape Verde, the Member States or the Union, regularly take part in meetings, consultations, negotiations or exchange programmes, and in events in the territory of the Member States or of Cape Verde organised on the initiative of intergovernmental organisations.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:8 [Citizens of Cape Verde or of t..] (3:2618-3:3021) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizens of Cape Verde or of the Member States who are holders of valid diplomatic or service passports can enter, leave and transit through the territories of the Member States or of Cape Verde without visas.

2. The citizens referred to in paragraph 1 of this Article may stay in the territories of the Member States or of Cape Verde for a period not exceeding 90 days per period of 180 days.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:9 [Without prejudice to the provi..] (3:254-3:1151) (Super)

Codes: [How is the text situated in broader society?]

No memos

Without prejudice to the provisions of paragraph 2, the Member States or Cape Verde shall not collect visa fees from the following categories of people:

- (a) members of official delegations who, following an official invitation addressed to Cape Verde, the Member States or the Union, take part in meetings, consultations, negotiations or official exchange programmes, or in events in the territory of a Member State or of Cape Verde organised by intergovernmental organisations;
- (b) children under 12 years of age;
- (c) school pupils, students, postgraduate students and accompanying teachers travelling for study or educational purposes;

(d) researchers travelling for the purposes of scientific research;
(e) participants no older than 25 years of age taking part in seminars, conferences or sports, cultural or educational events organised by non-profit organisations.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:10 [The Parties shall establish a ..] (3:3540-3:3818) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Parties shall establish a Joint Committee to manage the Agreement ('the Committee'), consisting of representatives of the Union and of Cape Verde. The Union shall be represented on the Committee by the European Commission, assisted by experts from the Member States.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:11 [Joint Declaration concerning t..] (9:1-9:486) (Super)

Codes: [How is the text situated in broader society?]

No memos

Joint Declaration concerning the Kingdom of Denmark

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

It is therefore desirable that the authorities of Denmark and of Cape Verde should conclude, without delay, a bilateral agreement on facilitating the issue of short-stay visas, in terms similar to those in the Agreement between the Union and Cape Verde.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:12 [Joint Declaration concerning I..] (9:489-9:951) (Super)

Codes: [How is the text situated in broader society?]

No memos

Joint Declaration concerning Ireland and the United Kingdom of Great Britain and Northern Ireland

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

It is therefore desirable that the authorities of the United Kingdom of Great Britain and Northern Ireland, Ireland and Cape Verde should conclude bilateral agreements on facilitating the issue of visas.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:13 [Joint Declaration concerning t..] (10:1-10:857) (Super)

Codes: [How is the text situated in broader society?]

No memos

Joint Declaration concerning the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of Liechtenstein

The Parties take note of the close relationship between the Union and the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation and the Principality of 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.

It is therefore desirable that the authorities of the Republic of Iceland, the Kingdom of Norway, the Swiss Confederation, the Principality of Liechtenstein and Cape Verde should conclude, without delay, bilateral agreements on facilitating the issue of short-stay visas, in terms similar to those set out in this Agreement.

P13: Visa Facilitation Agreement FYROM.pdf - 13:1 [AGREEMENT between the European ..] (1:1-1:133) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Community and the Former Yugoslav Republic of Macedonia on the facilitation of the issuance of visas

P13: Visa Facilitation Agreement FYROM.pdf - 13:2 [The purpose of this Agreement ..] (1:2994-1:3194) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 the former Yugoslav Republic of Macedonia.

P13: Visa Facilitation Agreement FYROM.pdf - 13:3 [If the former Yugoslav Republic..] (1:3200-1:3535) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

If the former Yugoslav Republic of Macedonia was to reintroduce the visa requirement for EU citizens or certain categories of EU citizens, the same facilitations granted under this agreement to the citizens of the former Yugoslav Republic of Macedonia would automatically, on the basis of reciprocity, apply to EU citizens concerned.

P13: Visa Facilitation Agreement FYROM.pdf - 13:4 [The visa facilitations provide..] (1:3568-2:341) (Super)

Codes: [How is the text situated in broader society?]

No memos

The visa facilitations provided in this Agreement shall apply to citizens of the former Yugoslav Republic of Macedonia 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.

19.12.2007 EN Official Journal of the European Union L 334/1252. The national law of the former Yugoslav Republic of Macedonia, 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.

P13: Visa Facilitation Agreement FYROM.pdf - 13:5 [For the following categories o..] (2:1489-2:1958) (Super)

Codes: [How is the text situated in broader society?]

No memos

For the following categories of citizens of the former Yugoslav Republic of Macedonia the following documents are sufficient for justifying the purpose of the journey to the other Party:

(a) Pupils, high school and university students, post-graduate students 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 educational or school-related activities:

P13: Visa Facilitation Agreement FYROM.pdf - 13:6 [Persons participating in scien..] (2:2125-2:2257) (Super)

Codes: [How is the text situated in broader society?]

No memos

Persons participating in scientific, research, cultural and artistic activities, including university and other exchange programmes:

P13: Visa Facilitation Agreement FYROM.pdf - 13:7 [Representatives of civil societ..] (2:2348-2:2535) (Super)

Codes: [How is the text situated in broader society?]

No memos

Representatives of civil society organisations, when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

P13: Visa Facilitation Agreement FYROM.pdf - 13:8 [Journalists:] (2:2835-2:2846) (Super)

Codes: [How is the text situated in broader society?]

No memos

Journalists:

P13: Visa Facilitation Agreement FYROM.pdf - 13:9 [Participants in international ..] (2:3107-2:3208) (Super)

Codes: [How is the text situated in broader society?]

No memos

Participants in international sports events and persons accompanying them in a professional capacity:

P13: Visa Facilitation Agreement FYROM.pdf - 13:10 [Business people and representa..] (2:3368-2:3430) (Super)

Codes: [How is the text situated in broader society?]

No memos

Business people and representatives of business organisations:

P13: Visa Facilitation Agreement FYROM.pdf - 13:11 [Members of the professions par..] (2:3735-2:3905) (Super)

Codes: [How is the text situated in broader society?]

No memos

Members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

P13: Visa Facilitation Agreement FYROM.pdf - 13:12 [Participants in official excha..] (2:4029-2:4099) (Super)

Codes: [How is the text situated in broader society?]

No memos

Participants in official exchange programmes organized by twin cities:

P13: Visa Facilitation Agreement FYROM.pdf - 13:13 [Drivers conducting internation..] (3:5-3:191) (Super)

Codes: [How is the text situated in broader society?]

No memos

Drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the former Yugoslav Republic of Macedonia:

P13: Visa Facilitation Agreement FYROM.pdf - 13:14 [Members of train, refrigerator ..] (3:406-3:533) (Super)

Codes: [How is the text situated in broader society?]

No memos

Members of train, refrigerator and locomotive crews in international trains travelling to the territories of the Member States:

P13: Visa Facilitation Agreement FYROM.pdf - 13:15 [Close relatives — spouse, chil..] (3:699-3:936) (Super)

Codes: [How is the text situated in broader society?]

No memos

Close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren visiting citizens of the former Yugoslav Republic of Macedonia legally residing in the territory of the Member States:

P13: Visa Facilitation Agreement FYROM.pdf - 13:16 [Representatives of the religious communities] (3:986-3:1030) (Super)

Codes: [How is the text situated in broader society?]

No memos

Representatives of the religious communities:

P13: Visa Facilitation Agreement FYROM.pdf - 13:17 [Persons visiting for medical reasons and necessary accompanying persons] (3:1202-3:1273) (Super)

Codes: [How is the text situated in broader society?]

No memos

Persons visiting for medical reasons and necessary accompanying persons:

P13: Visa Facilitation Agreement FYROM.pdf - 13:18 [Persons visiting for burial ceremonies] (3:1503-3:1541) (Super)

Codes: [How is the text situated in broader society?]

No memos

Persons visiting for burial ceremonies:

P13: Visa Facilitation Agreement FYROM.pdf - 13:19 [Members of official delegations] (3:1701-3:2011) (Super)

Codes: [How is the text situated in broader society?]

No memos

Members of official delegations who, following an official invitation addressed to the former Yugoslav Republic of Macedonia shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations:

P13: Visa Facilitation Agreement FYROM.pdf - 13:20 [Persons travelling for tourism] (3:2287-3:2317) (Super)

Codes: [How is the text situated in broader society?]
No memos

Persons travelling for tourism:

P13: Visa Facilitation Agreement FYROM.pdf - 13:21 [for visiting military and civi..] (3:2518-3:2564) (Super)

Codes: [How is the text situated in broader society?]
No memos

for visiting military and civil burial grounds:

P13: Visa Facilitation Agreement FYROM.pdf - 13:22 [or the invited person] (3:2829-3:2849) (Super)

Codes: [How is the text situated in broader society?]
No memos

or the invited person

P13: Visa Facilitation Agreement FYROM.pdf - 13:23 [for the inviting person] (3:3080-3:3102) (Super)

Codes: [How is the text situated in broader society?]
No memos

for the inviting person

P13: Visa Facilitation Agreement FYROM.pdf - 13:24 [for the inviting legal person,..] (3:3141-3:3194) (Super)

Codes: [How is the text situated in broader society?]
No memos

for the inviting legal person, company or organisation

P13: Visa Facilitation Agreement FYROM.pdf - 13:25 [Diplomatic missions and consul..] (3:3888-4:635) (Super)

Codes: [How is the text situated in broader society?]
No memos

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

(a) Members of national government, Parliament, Constitutional Court, Supreme Court, Judiciary Council and Public Prosecutors Council, if they are not exempted from the visa requirement by the present Agreement, in the exercise of their

duties, with a term of validity limited to their term of office if this is less than five years;

(b) Permanent members of official delegations who following an official invitation addressed to the former Yugoslav Republic of Macedonia shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

19.12.2007 EN Official Journal of the European Union L 334/127(c) Spouses and children (including adopted), who are under the age of 21 or are dependent and parents (including custodians) visiting citizens of the former Yugoslav Republic of Macedonia legally residing in the territory of the Member States, with the term of validity limited to the duration of the validity of their authorization for legal residence;

(d) Business people and representatives of business organisations who regularly travel to the Member States;

(e) Journalists;

(f) Representatives of religious communities registered in the former Yugoslav Republic of Macedonia, who regularly travel to the Member States.

P13: Visa Facilitation Agreement FYROM.pdf - 13:26 [Diplomatic missions and consul..] (4:641-4:2778) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with a 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) Students and post-graduate students who regularly undertake

trips for the purposes of study or educational training, including in the framework of exchange programmes;

(b) Persons who participate in scientific, research, cultural and artistic activities, including university and other exchange programs who regularly travel to the Member States;

(c) Participants in international sports events and persons accompanying them in a professional capacity;

(d) Members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States;

(e) Representatives of civil society organisations, travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;

(f) Participants in official exchange programmes organized by twin cities;

(g) Mayors and members of the municipal councils;

(h) Drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the former Yugoslav Republic of Macedonia;

(i) Members of train, refrigerator and locomotive crews, in international trains, travelling to the territories of the Member States;

(j) Persons needing to visit regularly for medical reasons and necessary accompanying persons;

(k) Members of official delegations who, following an official invitation addressed to the former Yugoslav Republic of Macedonia, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations.

P13: Visa Facilitation Agreement FYROM.pdf - 13:27 [Fees for processing the visa a..] (4:4072-5:1811) (Super)

Codes: [How is the text situated in broader society?]

No memos

Fees for processing the visa application are waived for the following categories of persons:

(a) close relatives — spouse, children (including adopted) parents (including custodians), grandparents and grandchildren of citizens of the former Yugoslav Republic of Macedonia,

legally residing in the territory of the Member States;

(b) members of official delegations who, following an official

invitation addressed to the former Yugoslav Republic of Macedonia shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(c) members of national government, Parliament, Constitutional Court, Supreme Court, Judiciary Council and Public Prosecutors Council, if they are not exempted from the visa requirement by the present Agreement; L 334/128 EN Official Journal of the European Union 19.12.2007(d) mayors and members of the municipal councils;

(e) disabled persons and the person accompanying them, if necessary;

(f) 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;

(g) participants in international sports events and persons accompanying them in a professional capacity;

(h) persons participating in scientific, research, cultural and artistic activities including university and other exchange programmes;

(i) participants in official exchange programmes organized by twin cities;

(j) journalists;

(k) pensioners;

(l) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the former Yugoslav Republic of Macedonia;

(m) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(n) representatives of civil society organisations when undertaking trips to attend meetings, seminars, exchange programmes or trainings courses;

(o) representatives of religious communities registered in the former Yugoslav Republic of Macedonia;

(p) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States;

(q) pupils, students, post-graduate students 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 educational or school related activities;

(r) children under six years of age.

P13: Visa Facilitation Agreement FYROM.pdf - 13:28 [Citizens of the former Yugosla..] (5:3989-5:4334) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizens of the former Yugoslav Republic of Macedonia, holders of valid diplomatic passports can enter, leave and transit through the territories of the Member States without visas.
2. Persons mentioned in paragraph 1 of this Article may stay in the territories of the Member States for a period not exceeding 90 days per period of 180 days.

P13: Visa Facilitation Agreement FYROM.pdf - 13:29 [The Parties shall set up a Joi..] (6:449-6:780) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Parties shall set up a Joint Committee of experts (hereinafter referred to as 'the Committee'), composed of representatives of the European Community and of the former Yugoslav Republic of Macedonia. The Community shall be represented by the Commission of the European Communities, assisted by experts from the Member States.

P13: Visa Facilitation Agreement FYROM.pdf - 13:30 [JOINT DECLARATION ON THE PERSP..] (8:1-8:693) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION ON THE PERSPECTIVE ON MUTUAL VISA FREE TRAVEL REGIME

In accordance with the conclusions of the EU-Western Balkans Summit held in Thessaloniki on 21 June 2003 the visa facilitations provided under this Agreement shall represent a transitional phase towards visa free travel regime for the citizens of the former Yugoslav Republic of Macedonia.
The visa free travel regime will be introduced for the citizens of the former Yugoslav Republic of Macedonia, on the basis of positive assessment of the country's achievements in implementing relevant reforms and in accordance with the procedures and criteria provided for in the Council Regulation 539/2001 of 15 March 2001.

P13: Visa Facilitation Agreement FYROM.pdf - 13:31 [JOINT DECLARATION CONCERNING D..] (8:696-8:1244) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 posts of the Kingdom of Denmark.

In such circumstances, it is desirable that the authorities of Denmark and of the former Yugoslav Republic of Macedonia 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 Community and the former Yugoslav Republic of Macedonia.

P13: Visa Facilitation Agreement FYROM.pdf - 13:32 [JOINT DECLARATION CONCERNING TH..] (8:1248-8:1638) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 the former Yugoslav Republic of Macedonia, conclude bilateral agreements on the facilitation of the issuance of visas.

P13: Visa Facilitation Agreement FYROM.pdf - 13:33 [JOINT DECLARATION CONCERNING IC..] (8:1642-8:2314) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING ICELAND AND NORWAY

The Parties take note of the close relationship between the European Community and Norway and Iceland, particularly by virtue of the Agreement of 18 May 1999 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 and the former Yugoslav Republic of Macedonia conclude, without delay, bilateral agreements on the facilitation of the issuance of short-stay visas in similar terms as the Agreement between the European Community and the former Yugoslav Republic of Macedonia.

P13: Visa Facilitation Agreement FYROM.pdf - 13:34 [JOINT DECLARATION CONCERNING S..] (9:1-9:533) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING SWISS CONFEDERATION AND LIECHTENSTEIN

(ifneeded)

If the Agreement between the EU, the EC and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen acquis and the Protocols to this Agreement concerning Liechtenstein has entered into force by the time negotiations with the former Yugoslav Republic of Macedonia have concluded, a similar declaration will also be made in respect of Switzerland and Liechtenstein.

P13: Visa Facilitation Agreement FYROM.pdf - 13:35 [POLITICAL DECLARATION FROM BUL..] (10:2075-10:2561) (Super)

Codes: [How is the text situated in broader society?]

No memos

POLITICAL DECLARATION FROM BULGARIA ON LOCAL BORDER TRAFFIC

The Republic of Bulgaria declares its willingness to enter into negotiations of bilateral agreement with the former Yugoslav Republic of Macedonia for the purpose of implementing the local border traffic regime established by the EC Regulation No 1931/2006 of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention.

P14: Visa Facilitation Agreement Georgia.pdf - 14:1 [GREEMENT between the European ..] (1:2-1:94) (Super)

Codes: [How is the text situated in broader society?]

No memos

GREEMENT

between the European Union and Georgia on the facilitation of the issuance of visas

P14: Visa Facilitation Agreement Georgia.pdf - 14:2 [THE EUROPEAN UNION, hereinafte..] (1:97-1:213) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN UNION, hereinafter referred to as 'the Union',
and

GEORGIA,
hereinafter referred to as 'the Parties',

P14: Visa Facilitation Agreement Georgia.pdf - 14:3 [The purpose of this Agreement ..] (1:2206-1:2701) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 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 citizens of the Union concerned.

P14: Visa Facilitation Agreement Georgia.pdf - 14:4 [The visa facilitations provide..] (1:2734-1:3294) (Super)

Codes: [How is the text situated in broader society?]

No memos

The visa facilitations provided in this Agreement shall apply to citizens of Georgia only in so far 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 Georgia or of the Member States or Union law shall apply to issues not covered by 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.

P14: Visa Facilitation Agreement Georgia.pdf - 14:5 [For the following categories o..] (2:989-2:1371) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 – who are visiting citizens of Georgia legally residing in the territory of the Member States:

P14: Visa Facilitation Agreement Georgia.pdf - 14:6 [for members of official delega..] (2:1421-2:1696) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of official delegations who, following an official invitation to Georgia, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations:

P14: Visa Facilitation Agreement Georgia.pdf - 14:7 [for pupils, students, post-gra..] (2:1956-2:2198) (Super)

Codes: [How is the text situated in broader society?]

No memos

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:

P14: Visa Facilitation Agreement Georgia.pdf - 14:8 [for persons travelling for med..] (2:2368-2:2447) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons travelling for medical reasons and necessary accompanying persons:

P14: Visa Facilitation Agreement Georgia.pdf - 14:9 [for journalists and accredited..] (2:2680-2:2765) (Super)

Codes: [How is the text situated in broader society?]

No memos

for journalists and accredited persons accompanying them
in a professional capacity:

P14: Visa Facilitation Agreement Georgia.pdf - 14:10 [for participants in internatio..] (2:3106-2:3211) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P14: Visa Facilitation Agreement Georgia.pdf - 14:11 [for business people and repres..] (2:3374-2:3442) (Super)

Codes: [How is the text situated in broader society?]

No memos

for business people and representatives of business organi
sations:

P14: Visa Facilitation Agreement Georgia.pdf - 14:12 [for members of the professions..] (3:5-3:185) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of the professions participating in inter
national exhibitions, conferences, symposia, seminars or
other similar events held on the territory of the Member
States:

P14: Visa Facilitation Agreement Georgia.pdf - 14:13 [or representatives of civil so..] (3:311-3:504) (Super)

Codes: [How is the text situated in broader society?]

No memos

or representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

P14: Visa Facilitation Agreement Georgia.pdf - 14:14 [for persons participating in s..] (3:811-3:939) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P14: Visa Facilitation Agreement Georgia.pdf - 14:15 [for drivers conducting interna..] (3:1030-3:1189) (Super)

Codes: [How is the text situated in broader society?]

No memos

for drivers conducting international cargos and passenger transportation services to the territories of the Member States in vehicles registered in Georgia:

P14: Visa Facilitation Agreement Georgia.pdf - 14:16 [for participants of the offici..] (3:1395-3:1474) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants of the official exchange programmes organised by twin cities:

P14: Visa Facilitation Agreement Georgia.pdf - 14:17 [for visiting military and civi..] (3:1582-3:1628) (Super)

Codes: [How is the text situated in broader society?]

No memos

for visiting military and civil burial grounds:

P14: Visa Facilitation Agreement Georgia.pdf - 14:18 [for the invited person:] (3:1900-3:1922) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the invited person:

P14: Visa Facilitation Agreement Georgia.pdf - 14:19 [for the inviting person:] (3:2142-3:2165) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting person:

P14: Visa Facilitation Agreement Georgia.pdf - 14:20 [for the inviting legal person,...] (3:2199-3:2253) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting legal person, company or organisation:

P14: Visa Facilitation Agreement Georgia.pdf - 14:21 [Diplomatic missions and consul..] (3:3032-3:4116) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular services of the Member States shall issue multiple-entry visas with the term of validity of up to 5 years to the following categories of citizens:
(a) spouses, children (including adopted) who are under the age of 21 or are dependent, or 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 and of Constitutional and Supreme courts if they are not

exempted from the visa requirement by this Agreement, in the exercise of their duties, with a term of validity limited to 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.

P14: Visa Facilitation Agreement Georgia.pdf - 14:22 [Diplomatic missions and consul..] (4:4-4:2105) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular services of the Member States shall issue multiple-entry visas with the term of validity of up to 1 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 Member 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 programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;
- (b) representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange 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 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 organised 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 organisations 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.

P14: Visa Facilitation Agreement Georgia.pdf - 14:23 [The fees for processing the vi..] (4:3707-5:1322) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 and of Constitutional and Supreme courts, in case they are not exempted from the visa requirement by this Agreement;
- (d) disabled persons and the persons accompanying them, if necessary;
- (e) close relatives – spouse, children (including adopted), parents (including custodians), grandparents or grandchildren – who are visiting citizens of Georgia legally residing in the territory of the Member States;

25.2.2011 Official Journal of the European Union L 52/37 EN(f) members of official delegations who, following an official invitation addressed to Georgia, are to participate in

meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory 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 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 organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;
- (k) persons participating in scientific, 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.

P14: Visa Facilitation Agreement Georgia.pdf - 14:24 [Citizens of Georgia who are ho..] (5:2999-5:3317) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizens of Georgia 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 of this Article may stay in the territories of Member States for a period not exceeding 90 days per period of 180 days.

P14: Visa Facilitation Agreement Georgia.pdf - 14:25 [The Parties shall set up a Joi..] (5:3750-5:4008) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Parties shall set up a Joint Committee of experts (hereinafter referred to as 'the Committee'), composed of representatives of the Union and of Georgia. The Union shall be represented by the Commission, assisted by experts from the Member States.

P14: Visa Facilitation Agreement Georgia.pdf - 14:26 [JOINT DECLARATION CONCERNING D..] (9:847-9:1306) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING DENMARK

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

P14: Visa Facilitation Agreement Georgia.pdf - 14:27 [JOINT DECLARATION CONCERNING T..] (9:1309-9:1663) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING THE UNITED KINGDOM AND IRELAND

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

P14: Visa Facilitation Agreement Georgia.pdf - 14:28 [JOINT DECLARATION CONCERNING S..] (10:1-10:692) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING SWITZERLAND, ICELAND, LIECHTENSTEIN AND NORWAY

The Parties take note of the close relationship between the 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 desirable that the authorities of Switzerland, Iceland, Liechtenstein and Norway 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 Union and Georgia.

P15: Visa Facilitation Agreement Moldova.pdf - 15:1 [AGREEMENT between the European..] (1:1-1:115) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Community and the Republic of Moldova on the facilitation of the issuance of visas

P15: Visa Facilitation Agreement Moldova.pdf - 15:2 [THE EUROPEAN COMMUNITY, herein..] (1:118-1:258) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community';
and
THE REPUBLIC OF MOLDOVA,
hereinafter referred to as 'the Parties',

P15: Visa Facilitation Agreement Moldova.pdf - 15:3 [The purpose of this Agreement i..] (1:2343-1:2524) (Super)

Codes: [How is the text situated in broader society?]

No memos

The purpose of this Agreement is to facilitate the issuance of visas to the citizens of the Republic of Moldova for an intended stay of no more than 90 days per period of 180 days.

P15: Visa Facilitation Agreement Moldova.pdf - 15:4 [The visa facilitations provide..] (1:2557-1:2841) (Super)

Codes: [How is the text situated in broader society?]

No memos

The visa facilitations provided in this Agreement shall apply to citizens of the Republic of Moldova only insofar as they are not exempted from the visa requirement by the laws and regulations of the Community or the Member States, this Agreement or other international agreements.

P15: Visa Facilitation Agreement Moldova.pdf - 15:5 [The national law of the Republ..] (1:2847-1:3166) (Super)

Codes: [How is the text situated in broader society?]

No memos

The national law of the Republic of Moldova, 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.

P15: Visa Facilitation Agreement Moldova.pdf - 15:6 [For the following categories o..] (2:768-2:1239) (Super)

Codes: [How is the text situated in broader society?]

No memos

For the following categories of citizens of the Republic of Moldova, the following documents shall suffice for justifying the purpose of the journey to the other Party:

(a) for members of official delegations who, following an official invitation addressed to the Republic of Moldova, are to participate in meetings, consultations, negotiations or exchange programs, as well as in events held in the territory of the Member States by intergovernmental organisations:

P15: Visa Facilitation Agreement Moldova.pdf - 15:7 [for members of the professions ..] (2:1477-2:1651) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

P15: Visa Facilitation Agreement Moldova.pdf - 15:8 [for drivers conducting interna...] (2:2223-2:2394) (Super)

Codes: [How is the text situated in broader society?]

No memos

for drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Moldova

P15: Visa Facilitation Agreement Moldova.pdf - 15:9 [for members of train, refriger...] (2:2600-2:2731) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of train, refrigerator and locomotive crews in international trains travelling to the territories of the Member States:

P15: Visa Facilitation Agreement Moldova.pdf - 15:10 [for journalists:] (2:2881-2:2896) (Super)

Codes: [How is the text situated in broader society?]

No memos

for journalists:

P15: Visa Facilitation Agreement Moldova.pdf - 15:11 [for persons participating in s...] (2:3157-2:3284) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons participating in scientific, cultural and artistic activities, including university and other exchange programmes:

P15: Visa Facilitation Agreement Moldova.pdf - 15:12 [for pupils, students, post-gra..] (2:3375-2:3611) (Super)

Codes: [How is the text situated in broader society?]

No memos

for pupils, students, post-graduate students 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:

P15: Visa Facilitation Agreement Moldova.pdf - 15:13 [for participants in internatio..] (2:3778-2:3883) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in international sports events and persons accompanying them in a professional capacity:

P15: Visa Facilitation Agreement Moldova.pdf - 15:14 [for participants in official e..] (2:4043-2:4138) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in official exchange programmes organised by twin cities and other localities:

P15: Visa Facilitation Agreement Moldova.pdf - 15:15 [for close relatives — spouse, ..] (2:4240-2:4466) (Super)

Codes: [How is the text situated in broader society?]

No memos

for close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren — visiting citizens of the Republic of Moldova legally residing in the territory of the Member States:

P15: Visa Facilitation Agreement Moldova.pdf - 15:16 [for representatives of civil so..] (3:5-3:194) (Super)

Codes: [How is the text situated in broader society?]

No memos

for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

P15: Visa Facilitation Agreement Moldova.pdf - 15:17 [for persons visiting for burial ceremonies] (3:494-3:536) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons visiting for burial ceremonies:

P15: Visa Facilitation Agreement Moldova.pdf - 15:18 [for visiting military and civil burial grounds] (3:698-3:744) (Super)

Codes: [How is the text situated in broader society?]

No memos

for visiting military and civil burial grounds:

P15: Visa Facilitation Agreement Moldova.pdf - 15:19 [for persons visiting for medical reasons] (3:908-3:983) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons visiting for medical reasons and necessary accompanying persons:

P15: Visa Facilitation Agreement Moldova.pdf - 15:20 [for the invited person:] (3:1296-3:1318) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the invited person:

P15: Visa Facilitation Agreement Moldova.pdf - 15:21 [for the inviting person] (3:1542-3:1564) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting person

P15: Visa Facilitation Agreement Moldova.pdf - 15:22 [for the inviting legal person,...] (3:1599-3:1653) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting legal person, company or organisation:

P15: Visa Facilitation Agreement Moldova.pdf - 15:23 [Diplomatic missions and consul..] (3:2405-3:3670) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

(a) members of national and regional Governments and Parliaments, 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 to their term of office if this is less than five years;

(b) permanent members of official delegations who, following an official invitation addressed to the Republic of Moldova, 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 programmes;

(c) spouses and children (including adopted), who are under the age of 21 or are dependent, and parents (including custodians) visiting citizens of the Republic of Moldova 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;

(d) business people and representatives of business organisations who regularly travel to the Member States;

(e) journalists.

P15: Visa Facilitation Agreement Moldova.pdf - 15:24 [Diplomatic missions and consul..] (3:3676-4:675) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with a 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 addressed to the Republic of Moldova, 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;

(b) representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange 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) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Moldova;

19.12.2007 EN Official Journal of the European Union L 334/171(e) members of train, refrigerator and locomotive crews in international trains travelling to the territories of the Member States;

(f) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Member States;

(g) students and post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;

(h) participants in international sports events and persons accompanying them in a professional capacity;

(i) participants in official exchange programmes organised by twin cities or other localities.

P15: Visa Facilitation Agreement Moldova.pdf - 15:25 [Fees for processing the visa a..] (4:1586-4:3879) (Super)

Codes: [How is the text situated in broader society?]

No memos

Fees for processing the visa application shall be waived for

the following categories of persons:

- (a) close relatives — spouse, children (including adopted) parents (including custodians), grandparents and grandchildren of citizens of the Republic of Moldova legally residing in the territory of the Member States;
- (b) members of national and regional Governments and Parliaments, Constitutional Court and Supreme Court if they are not exempted from the visa requirement by this Agreement;
- (c) members of official delegations who, following an official invitation addressed to the Republic of Moldova, are to participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;
- (d) pupils, students, post-graduate students 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;
- (e) disabled persons and the person accompanying them, if necessary;
- (f) 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;
- (g) participants in international sports events and persons accompanying them in a professional capacity;
- (h) persons participating in scientific, cultural and artistic activities including university and other exchange programmes;
- (i) participants in official exchange programmes organised by twin cities or other localities;
- (j) journalists;
- (k) children under the age of 18 and dependent children under the age of 21;
- (l) pensioners;
- (m) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Moldova;
- (n) members of train, refrigerator and locomotive crews travelling to the territories of the Member States;
- (o) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States.

P15: Visa Facilitation Agreement Moldova.pdf - 15:26 [Citizens of the Republic of Mo..] (5:1318-5:1635) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizens of the Republic of Moldova 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 in the territories of the Member States for a period not exceeding 90 days per period of 180 days.

P15: Visa Facilitation Agreement Moldova.pdf - 15:27 [The Parties shall set up a Joi..] (5:2072-5:2382) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Parties shall set up a Joint Committee of experts (hereinafter referred to as the Committee), composed of representatives of the European Community and of the Republic of Moldova. The Community shall be represented by the Commission of the European Communities, assisted by experts from the Member States.

P15: Visa Facilitation Agreement Moldova.pdf - 15:28 [JOINT DECLARATION CONCERNING D..] (9:1-9:504) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING DENMARK

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

In such circumstances, it is desirable that the authorities of Denmark and of the Republic of Moldova 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 Community and the Republic of Moldova.

P15: Visa Facilitation Agreement Moldova.pdf - 15:29 [JOINT DECLARATION CONCERNING T..] (9:507-9:871) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING THE UNITED KINGDOM AND IRELAND

The Parties take note that the 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 the Republic of Moldova conclude bilateral agreements on the facilitation of the issuance of visas.

P15: Visa Facilitation Agreement Moldova.pdf - 15:30 [JOINT DECLARATION CONCERNING I..] (9:874-9:1509) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING ICELAND AND NORWAY

The Parties take note of the close relationship between the European Community and Norway and Iceland, particularly by virtue of the Agreement of 18 May 1999 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 and the Republic of Moldova conclude, without delay, bilateral agreements on the facilitation of the issuance of short-stay visas in similar terms as the Agreement between the European Community and the Republic of Moldova.

P15: Visa Facilitation Agreement Moldova.pdf - 15:31 [JOINT DECLARATION CONCERNING T..] (9:1512-9:2023) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING THE SWISS CONFEDERATION AND LIECHTENSTEIN

If the Agreement between the EU, the EC and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen acquis and the Protocols to this Agreement concerning Liechtenstein has entered into force by the time negotiations with the Republic of Moldova have been concluded, a similar declaration will also be made in respect of Switzerland and Liechtenstein.

P15: Visa Facilitation Agreement Moldova.pdf - 15:32 [DECLARATIONS ON LOCAL BORDER T..] (11:1-11:747) (Super)

Codes: [How is the text situated in broader society?]

No memos

DECLARATIONS ON LOCAL BORDER TRAFFIC

POLITICAL DECLARATION FROM ROMANIA ON LOCAL BORDER TRAFFIC

Romania declares its willingness to enter into negotiations of a bilateral agreement with the Republic of Moldova for the purpose of implementing the local border traffic regime established by EC Regulation No 1931/2006 of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention.

POLITICAL DECLARATION FROM THE REPUBLIC OF MOLDOVA ON LOCAL BORDER TRAFFIC

The Republic of Moldova declares its willingness to enter into negotiations of a bilateral agreement with Romania for the purpose of implementing such a local border traffic regime.

P16: Visa Facilitation Agreement Moldova ammendment.pdf - 16:1 [AGREEMENT between the European..] (1:1-1:194) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Union and the Republic of Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas

P16: Visa Facilitation Agreement Moldova ammendment.pdf - 16:2 [THE EUROPEAN UNION, and THE RE..] (1:197-1:289) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN UNION,

and

THE REPUBLIC OF MOLDOVA,

hereinafter referred to as 'the Parties',

P16: Visa Facilitation Agreement Moldova ammendment.pdf - 16:3 [The Agreement between the Euro..] (1:1469-1:1916) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas, hereinafter referred to as the 'Agreement', shall be amended in accordance with the provisions of this Article:

(1) In the title, the word 'Community' shall be replaced by the word 'Union'.

(2) In Article 2(1) and (2) and in Article 3 point (e), the word 'Community' shall be replaced by the words 'European Union'.

P16: Visa Facilitation Agreement Moldova ammendment.pdf - 16:4 [JOINT DECLARATION CONCERNING S..] (7:1125-7:1741) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING SWITZERLAND AND LIECHTENSTEIN

The Parties take note of the close relationship between the Union and Switzerland and Liechtenstein, particularly by virtue of the Agreement of 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 Switzerland and Liechtenstein and the Republic of Moldova conclude, without delay, bilateral agreements on the facilitation of the issuance of short-stay visas in similar terms as the amended Agreement.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:1 [AGREEMENT between the European..] (1:1-1:118) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Community and the Republic of Montenegro on the facilitation of the issuance of visas

P17: Visa Facilitation Agreement Montenegro.pdf - 17:2 [THE EUROPEAN COMMUNITY, herein..] (1:121-1:264) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',
and

THE REPUBLIC OF MONTENEGRO,
hereinafter referred to as 'the Parties',

P17: Visa Facilitation Agreement Montenegro.pdf - 17:3 [The purpose of this Agreement ..] (1:2409-1:2905) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 the Republic of Montenegro.

2. If the Republic of Montenegro was to reintroduce the visa requirement for EU citizens or certain categories of EU citizens, the same facilitations granted under this agreement to the citizens of the Republic of Montenegro would automatically, on the basis of reciprocity, apply to EU citizens concerned.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:4 [The visa facilitations provide..] (1:2938-1:3557) (Super)

Codes: [How is the text situated in broader society?]

No memos

The visa facilitations provided in this Agreement shall apply to citizens of the Republic of Montenegro 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 citizen law of the Republic of Montenegro, 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.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:5 [For the following categories o..] (2:1093-2:1568) (Super)

Codes: [How is the text situated in broader society?]

No memos

For the following categories of citizens of the Republic of Montenegro the following documents are sufficient for justifying the purpose of the journey to the other Party:

(a) members of official delegations who, following an official invitation addressed to the Republic of Montenegro, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:6 [business people and representa..] (2:1853-2:1915) (Super)

Codes: [How is the text situated in broader society?]

No memos

business people and representatives of business organisations:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:7 [drivers conducting internation..] (2:2348-2:2518) (Super)

Codes: [How is the text situated in broader society?]

No memos

drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Montenegro:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:8 [for members of train, refrigerator..] (2:2726-2:2832) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of train, refrigerator and locomotive crews travelling to the territories of the Member States:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:9 [journalists] (2:2986-2:2996) (Super)

Codes: [How is the text situated in broader society?]

No memos

journalists

P17: Visa Facilitation Agreement Montenegro.pdf - 17:10 [persons participating in scientific..] (2:3258-2:3379) (Super)

Codes: [How is the text situated in broader society?]

No memos

persons participating in scientific, cultural and artistic activities, including university and other exchange programmes:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:11 [pupils, students, post-graduate..] (2:3470-2:3702) (Super)

Codes: [How is the text situated in broader society?]

No memos

pupils, students, post-graduate students 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

P17: Visa Facilitation Agreement Montenegro.pdf - 17:12 [participants in international ..] (2:3880-2:3981) (Super)

Codes: [How is the text situated in broader society?]

No memos

participants in international sports events and persons accompanying them in a professional capacity:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:13 [participants in official excha..] (3:5-3:74) (Super)

Codes: [How is the text situated in broader society?]

No memos

participants in official exchange programmes organised by twin cities

P17: Visa Facilitation Agreement Montenegro.pdf - 17:14 [close relatives — spouse, chil..] (3:157-3:379) (Super)

Codes: [How is the text situated in broader society?]

No memos

close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren visiting citizens of the Republic of Montenegro legally residing in the territory of the Member States:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:15 [for visiting military and civi..] (3:429-3:475) (Super)

Codes: [How is the text situated in broader society?]

No memos

for visiting military and civil burial grounds:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:16 [persons visiting for medical r..] (3:639-3:710) (Super)

Codes: [How is the text situated in broader society?]

No memos

persons visiting for medical reasons and necessary accompanying persons:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:17 [persons visiting for burial ce..] (3:941-3:979) (Super)

Codes: [How is the text situated in broader society?]

No memos

persons visiting for burial ceremonies:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:18 [for representatives of civil so..] (3:1140-3:1329) (Super)

Codes: [How is the text situated in broader society?]

No memos

for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:19 [members of the professions par..] (3:1629-3:1799) (Super)

Codes: [How is the text situated in broader society?]

No memos

members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:20 [judges participating in intern..] (3:1923-3:2071) (Super)

Codes: [How is the text situated in broader society?]

No memos

judges participating in international exchange programmes, symposia, seminars or similar training events held in the territory of the Member States:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:21 [representatives of the religious communities in the Republic of Montenegro.] (3:2162-3:2237) (Super)

Codes: [How is the text situated in broader society?]

No memos

representatives of the religious communities in the Republic of Montenegro:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:22 [persons travelling for tourism..] (3:2390-3:2420) (Super)

Codes: [How is the text situated in broader society?]

No memos

persons travelling for tourism:

P17: Visa Facilitation Agreement Montenegro.pdf - 17:23 [for the invited person] (3:2722-3:2743) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the invited person

P17: Visa Facilitation Agreement Montenegro.pdf - 17:24 [for the inviting person] (3:2979-3:3001) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting person

P17: Visa Facilitation Agreement Montenegro.pdf - 17:25 [for the inviting legal person, company or organisation] (3:3040-3:3093) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting legal person, company or organisation

P17: Visa Facilitation Agreement Montenegro.pdf - 17:26 [Diplomatic missions and consulates..] (3:3849-4:628) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member

States shall issue multiple-entry visas with a term of validity of up

to five years to the following categories of persons:

(a) members of the National Government, Parliament, Constitutional Court and Supreme Court, President of the Court of Appeals, President of the Administrative Court in case they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties, with the term of validity limited to their term of office if this is less than five years;

19.12.2007 EN Official Journal of the European Union L 334/111(b) permanent members of official delegations who, following an official invitation addressed to the Republic of Montenegro, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events

held in the territory of the Member States by intergovernmental organisations;

(c) spouse and children (including adopted), who are under the

age of 21 or are dependant, visiting citizens of the Republic

of Montenegro 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.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:27 [Diplomatic missions and consul..] (4:634-4:3086) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member

States shall issue multiple-entry visas with a 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 addressed to the Republic of Montenegro, shall

regularly participate in meetings, consultations, negotiations

or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

- (b) business people and representatives of business organisations who regularly travel to the Member States;
- (c) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Montenegro;
- (d) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;
- (e) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States;
- (f) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Member States;
- (g) participants in international sports events and persons accompanying them in a professional capacity;
- (h) journalists;
- (i) participants in official exchange programmes organised by twin cities;
- (j) students and post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;
- (k) persons needing to visit regularly for medical reasons and necessary accompanying persons;
- (l) representatives of religious communities registered in the Republic of Montenegro, who regularly travel to the Member States.
- (m) representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;
- (n) judges participating in international exchange programmes, symposia, seminars or similar training events, who regularly travel to the Member States

P17: Visa Facilitation Agreement Montenegro.pdf - 17:28 [Fees for processing the visa a..] (4:4322-5:2005) (Super)

Codes: [How is the text situated in broader society?]

No memos

Fees for processing the visa application are waived for the following categories of persons:

- (a) members of the National Government, Parliament, Constitutional Court and Supreme Court, president of the Court of

Appeals, president of the Administrative Court, persons mentioned in the Article 5(1), point (a) if they are not exempted from the visa requirement by the present Agreement;

(b) close relatives — spouse, children (including adopted) parents (including custodians), grandparents and grandchildren visiting citizens of the Republic of Montenegro, legally residing in the territory of the Member States;

L 334/112 EN Official Journal of the European Union 19.12.2007(c) members of official delegations who, following an official invitation addressed to the Republic of Montenegro shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(d) pupils, students, post-graduate students and accompanying teachers who undertake trips for the purpose of study or educational training;

(e) disabled persons and the person accompanying them, if necessary;

(f) 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;

(g) participants in international sports events and persons accompanying them in a professional capacity;

(h) persons participating in scientific, cultural and artistic activities including university and other exchange programmes;

(i) participants in official exchange programmes organised by twin cities;

(j) journalists;

(k) pensioners;

(l) judges participating in international exchange programmes, symposia, seminars or similar training events;

(m) representatives of religious communities registered in the Republic of Montenegro;

(n) representatives of civil society organisations travelling to attend meetings, seminars, exchange programmes or training courses;

(o) Members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States;

(p) Drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Montenegro;

(q) Members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(r) Children under six years of age.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:29 [Citizens of the Republic of Mo..] (5:3648-5:3977) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizens of the Republic of Montenegro, holders of valid diplomatic passports can enter, leave and transit through the territories of the Member States without visas.

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

P17: Visa Facilitation Agreement Montenegro.pdf - 17:30 [The Parties shall set up a Joi..] (6:65-6:380) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Parties shall set up a Joint Committee of experts (hereinafter referred to as 'the Committee'), composed by representatives of the European Community and of the Republic of Montenegro. The Community shall be represented by the Commission of the European Communities, assisted by experts from the Member States.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:31 [PROTOCOL TO THE AGREEMENT ON T..] (8:8-8:1007) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 citizen visas the validity of which is limited to their own territory.

These Member States may unilaterally recognise Schengen visas and residence permits for the transit through their territory, in accordance with European Parliament and Council Decision No 895/2006/EC of 14 June 2006.

As European Parliament and Council Decision No 895/2006/EC of 14 June 2006 does not apply to Romania and Bulgaria; similar provisions will be proposed by the European Commission in order to enable these countries to unilaterally recognise Schengen visas and residence permits and other similar documents issued by other Member States not yet fully integrated into the Schengen area for the purpose of transit through their territory.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:32 [JOINT DECLARATION CONCERNING D..] (9:1-9:517) (Super)

Codes: [How is the text situated in broader society?]
No memos

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 posts of the Kingdom of Denmark.

In such circumstances, it is desirable that the authorities of Denmark and of the Republic of Montenegro 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 Community and the Republic of Montenegro.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:33 [JOINT DECLARATION CONCERNING T..] (9:520-9:897) (Super)

Codes: [How is the text situated in broader society?]
No memos

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 the Republic of Montenegro, conclude bilateral agreements on the facilitation of the issuance of visas.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:34 [JOINT DECLARATION CONCERNING I..] (9:900-9:1542) (Super)

Codes: [How is the text situated in broader society?]
No memos

JOINT DECLARATION CONCERNING ICELAND AND NORWAY

The Parties take note of the close relationship between the European Community and Norway and Iceland, particularly by virtue of the Agreement of 18 May 1999 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 and the Republic of Montenegro conclude, without delay, bilateral agreements on the facilitation of the issuance of short-stay visas in similar terms as the Agreement between the European Community and the Republic of Montenegro.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:35 [JOINT DECLARATION CONCERNING S..] (9:1545-9:2063) (Super)

Codes: [How is the text situated in broader society?]
No memos

JOINT DECLARATION CONCERNING SWISS CONFEDERATION AND LIECHTENSTEIN

(ifneeded)

If the Agreement between the EU, the EC and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen acquis and the Protocols to this Agreement concerning Liechtenstein has entered into force by the time negotiations with the Republic of Montenegro have concluded, a similar declaration will also be made in respect of Switzerland and Liechtenstein.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:36 [EUROPEAN COMMUNITY DECLARATION..] (11:1254-11:1742) (Super)

Codes: [How is the text situated in broader society?]

No memos

EUROPEAN COMMUNITY DECLARATION ON SEAMEN

In line with international agreements on the mobility of civilian ships crew members, the European Community invites Member States consular offices to make full use of the existing possibilities in the acquis communautaire for facilitating the issuance of transit visas to seamen from Montenegro. This includes in particular, the simplification of documentary evidence requested for the applicants and the issuing of multiple entry transit visas.

P18: Visa Facilitation Agreement Russia.pdf - 18:1 [AGREEMENT between the European..] (1:1-1:179) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Community and the Russian Federation on the facilitation of the issuance of visas to the citizens of the European Union and the Russian Federation

P18: Visa Facilitation Agreement Russia.pdf - 18:2 [THE PARTIES, THE EUROPEAN COMM..] (1:182-1:292) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE PARTIES,

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',

and

THE RUSSIAN FEDERATION,

P18: Visa Facilitation Agreement Russia.pdf - 18:3 [The purpose of this Agreement ..] (1:2528-1:2762) (Super)

Codes: [How is the text situated in broader society?]

No memos

The purpose of this Agreement is to facilitate, on the basis of reciprocity, the issuance of visas for an intended stay of no more than 90 days per period of 180 days to the citizens of the European Union and the Russian Federation.

P18: Visa Facilitation Agreement Russia.pdf - 18:4 [The visa facilitations provide..] (1:2795-1:3464) (Super)

Codes: [How is the text situated in broader society?]

No memos

The visa facilitations provided in this Agreement shall apply to citizens of the European Union and of the Russian Federation only insofar as they are not exempted from the visa requirement by the laws and regulations of the Russian Federation, of the Community or the Member States, the present agreement or other international agreements.
2. The national law of the Russian Federation, 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.

P18: Visa Facilitation Agreement Russia.pdf - 18:5 [For the following categories o..] (2:1510-2:2485) (Super)

Codes: [How is the text situated in broader society?]

No memos

For the following categories of citizens of the European Union and of the Russian Federation, the following documents are sufficient for justifying the purpose of the journey to the other Party:
(a) for members of official delegations who, following an

official invitation addressed to the Member States, the European Union or the Russian Federation, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Russian Federation or one of the Member States by intergovernmental organisations:

— a letter issued by a competent authority of a Member State or of the Russian Federation, or by a European institution confirming that the applicant is a 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;

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

P18: Visa Facilitation Agreement Russia.pdf - 18:6 [for business people and repres..] (2:2420-2:2485) (Super)

Codes: [How is the text situated in broader society?]

No memos

for business people and representatives of business organisations:

P18: Visa Facilitation Agreement Russia.pdf - 18:7 [for drivers conducting interna..] (2:2844-2:3073) (Super)

Codes: [How is the text situated in broader society?]

No memos

for drivers conducting international cargo and passenger transportation services between the territories of the Russian Federation and the Member States in vehicles registered in the Member States or in the Russian Federation:

P18: Visa Facilitation Agreement Russia.pdf - 18:8 [for members of train, refrigerer..] (2:3350-2:3515) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of train, refrigerator and locomotive crews in

international trains, travelling between the territories of the Member States and the Russian Federation:

P18: Visa Facilitation Agreement Russia.pdf - 18:9 [for journalists:] (2:3685-2:3700) (Super)

Codes: [How is the text situated in broader society?]

No memos

for journalists:

P18: Visa Facilitation Agreement Russia.pdf - 18:10 [for persons participating in s..] (3:5-3:132) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons participating in scientific, cultural and artistic activities, including university and other exchange programmes:

P18: Visa Facilitation Agreement Russia.pdf - 18:11 [for pupils, students, post-gra..] (3:223-3:460) (Super)

Codes: [How is the text situated in broader society?]

No memos

for pupils, students, post-graduate students 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:

P18: Visa Facilitation Agreement Russia.pdf - 18:12 [for participants in internatio..] (3:649-3:754) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in international sports events and persons accompanying them in a professional capacity:

P18: Visa Facilitation Agreement Russia.pdf - 18:13 [for participants in official e..] (3:1021-3:1095) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in official exchange programmes organised
by twin cities:

P18: Visa Facilitation Agreement Russia.pdf - 18:14 [for close relatives — spouses,..] (3:1177-3:1452) (Super)

Codes: [How is the text situated in broader society?]

No memos

for close relatives — spouses, children (including adopted),
parents (including custodians), grandparents and grandchildren — visiting citizens of the European Union or the
Russian Federation legally residing in the territory of the
Russian Federation or the Member States:

P18: Visa Facilitation Agreement Russia.pdf - 18:15 [for visiting military and civi..] (3:1502-3:1548) (Super)

Codes: [How is the text situated in broader society?]

No memos

for visiting military and civil burial grounds:

P18: Visa Facilitation Agreement Russia.pdf - 18:16 [for the invited person] (3:1815-3:1836) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the invited person

P18: Visa Facilitation Agreement Russia.pdf - 18:17 [for the inviting person] (3:2043-3:2065) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting person

P18: Visa Facilitation Agreement Russia.pdf - 18:18 [for the inviting legal person,...] (3:2104-3:2157) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting legal person, company or organisation

P18: Visa Facilitation Agreement Russia.pdf - 18:19 [Diplomatic missions and consul..] (3:3050-3:3931) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member States and of the Russian Federation shall issue multiple-entry visas with the term of validity of up to five years to the following categories of citizens:

(a) members of national and regional Governments and Parliaments, Constitutional Courts and Supreme Courts, if they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties, with a term of validity limited to their term of office if this is less than five years;

(b) spouses and children (including adopted), who are under the age of 21 or are dependant, visiting citizens of the European Union and the Russian Federation legally residing in the territory of the Russian Federation or the Member States, with the term of validity limited to the duration of the validity of their authorisation for legal residence.

P18: Visa Facilitation Agreement Russia.pdf - 18:20 [Diplomatic missions and consul..] (4:4-4:1785) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member States and of the Russian Federation shall issue multiple-entry visas with the term of validity of up to one year to the following categories of citizens, 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 in the territory of the visited State and that there are reasons for requesting a multiple-entry visa:

- (a) for members of official delegations who, following an official invitation addressed to the Member States, the European Union or the Russian Federation, shall participate in official meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Russian Federation or one of the Member States by intergovernmental organisations;
- (b) business people and representatives of business organisations who regularly travel to the Russian Federation or the Member States;
- (c) drivers conducting international cargo and passenger transportation services between the territories of the Russian Federation and the Member States in vehicles registered in the Member States or the Russian Federation;
- (d) members of train, refrigerator and locomotive crews in international trains, travelling between the territories of the Russian Federation and the Member States;
- (e) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Russian Federation or the Member States;
- (f) participants in international sports events and persons accompanying them in a professional capacity;
- (g) journalists;
- (h) participants in official exchange programmes organised by twin cities.

P18: Visa Facilitation Agreement Russia.pdf - 18:21 [Fees for processing the visa a..] (4:3104-5:790) (Super)

Codes: [How is the text situated in broader society?]

No memos

Fees for processing the visa application are waived for the following categories of persons:

- (a) for close relatives — spouses, children (including adopted) parents (including custodians), grandparents and grandchildren — of citizens of the European Union and of the

Russian Federation legally residing in the territory of the Russian Federation or the Member States;

(b) for members of official delegations who, following an official invitation addressed to the Member States, the European Union or the Russian Federation, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Russian Federation or one of the Member States by intergovernmental organisations;

(c) members of national and regional Governments and Parliaments, Constitutional Courts and Supreme Courts, if they are not exempted from the visa requirement by the present Agreement;

L 129/30 Official Journal of the European Union 17.5.2007 EN(d) pupils, students, post-graduate students and accompanying teachers who undertake trips for the purpose of study or educational training;

(e) disabled persons and the person accompanying them, if necessary;

(f) 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;

(g) participants in youth international sports events and persons accompanying them;

(h) persons participating in scientific, cultural and artistic activities including university and other exchange programmes;

(i) participants in official exchange programmes organised by twin cities.

P18: Visa Facilitation Agreement Russia.pdf - 18:22 [Citizens of the Russian Federa..] (5:2906-5:3307) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizens of the Russian Federation or the Member States,

holders of valid diplomatic passports may enter, leave and transit through the territories of the Member States or the Russian Federation without visas.

2. Citizens mentioned in paragraph 1 of this Article may stay in the territories of the Russian Federation or the Member States for a period not exceeding 90 days per period of 180 days.

P18: Visa Facilitation Agreement Russia.pdf - 18:23 [The Parties shall set up a Joi..] (5:3840-5:4156) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Parties shall set up a Joint Committee for management of the Agreement (hereinafter referred to as 'the Committee'), composed by representatives of the European Community and of the Russian Federation. The Community shall be represented by the European Commission, assisted by experts from the Member States.

P19: Visa Facilitation Agreement Serbia.pdf - 19:1 [AGREEMENT between the European..] (1:1-1:114) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Community and the Republic of Serbia on the facilitation of the issuance of visas

P19: Visa Facilitation Agreement Serbia.pdf - 19:2 [THE EUROPEAN COMMUNITY, herein..] (1:117-1:255) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community';
and
THE REPUBLIC OF SERBIA, hereinafter referred to as 'the Parties';

P19: Visa Facilitation Agreement Serbia.pdf - 19:3 [The purpose of this Agreement ..] (1:2475-1:2957) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 the Republic of Serbia.

2. If the Republic of Serbia was to reintroduce the visa requirement for EU citizens or certain categories of EU citizens, the same facilitations granted under this agreement to the citizens of the Republic of Serbia would automatically, on the basis of reciprocity, apply to EU citizens concerned.

P19: Visa Facilitation Agreement Serbia.pdf - 19:4 [The visa facilitations provide..] (1:2990-1:3603) (Super)

Codes: [How is the text situated in broader society?]

No memos

The visa facilitations provided in this Agreement shall apply to citizens of the Republic of Serbia 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 the Republic of Serbia, 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.

P19: Visa Facilitation Agreement Serbia.pdf - 19:5 [For the following categories o..] (2:1128-2:1597) (Super)

Codes: [How is the text situated in broader society?]

No memos

For the following categories of citizens of the Republic of Serbia the following documents are sufficient for justifying the purpose of the journey to the other Party:

(a) for members of official delegations who, following an official invitation addressed to the Republic of Serbia, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations:

P19: Visa Facilitation Agreement Serbia.pdf - 19:6 [for business people and repres..] (2:1854-2:1920) (Super)

Codes: [How is the text situated in broader society?]

No memos

for business people and representatives of business
organisations:

P19: Visa Facilitation Agreement Serbia.pdf - 19:7 [for drivers conducting interna..] (2:2303-2:2474) (Super)

Codes: [How is the text situated in broader society?]

No memos

for drivers conducting international cargo and passenger
transportation services to the territories of the Member States
in vehicles registered in the Republic of Serbia;

P19: Visa Facilitation Agreement Serbia.pdf - 19:8 [for members of train, refrigerator..] (2:2688-2:2794) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of train, refrigerator and locomotive crews travelling to the territories of the Member States:

P19: Visa Facilitation Agreement Serbia.pdf - 19:9 [for journalists:] (2:2944-2:2959) (Super)

Codes: [How is the text situated in broader society?]

No memos

for journalists:

P19: Visa Facilitation Agreement Serbia.pdf - 19:10 [for persons participating in s..] (2:3219-2:3346) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons participating in scientific, cultural and artistic

activities, including university and other exchange programmes:

P19: Visa Facilitation Agreement Serbia.pdf - 19:11 [for pupils, students, post-gra..] (2:3437-2:3674) (Super)

Codes: [How is the text situated in broader society?]

No memos

for pupils, students, post-graduate students 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:

P19: Visa Facilitation Agreement Serbia.pdf - 19:12 [for participants in internatio..] (2:3841-2:3945) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

P19: Visa Facilitation Agreement Serbia.pdf - 19:13 [for participants in official e..] (2:4105-2:4198) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in official exchange programmes organised by twin municipalities and cities:

P19: Visa Facilitation Agreement Serbia.pdf - 19:14 [for close relatives — spouse, ..] (3:5-3:230) (Super)

Codes: [How is the text situated in broader society?]

No memos

for close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren, visiting citizens of the Republic of Serbia legally residing in the territories of the Member States:

P19: Visa Facilitation Agreement Serbia.pdf - 19:15 [for visiting military and civi..] (3:280-3:326) (Super)

Codes: [How is the text situated in broader society?]
No memos

for visiting military and civil burial grounds:

P19: Visa Facilitation Agreement Serbia.pdf - 19:16 [for persons attending burial c..] (3:491-3:530) (Super)

Codes: [How is the text situated in broader society?]
No memos

for persons attending burial ceremonies:

P19: Visa Facilitation Agreement Serbia.pdf - 19:17 [for persons visiting for medical..] (3:691-3:766) (Super)

Codes: [How is the text situated in broader society?]
No memos

for persons visiting for medical reasons and necessary accompanying persons:

P19: Visa Facilitation Agreement Serbia.pdf - 19:18 [for representatives of civil so..] (3:999-3:1188) (Super)

Codes: [How is the text situated in broader society?]
No memos

for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

P19: Visa Facilitation Agreement Serbia.pdf - 19:19 [for representatives of the rel..] (3:1488-3:1563) (Super)

Codes: [How is the text situated in broader society?]
No memos

for representatives of the religious communities in the Republic of Serbia:

P19: Visa Facilitation Agreement Serbia.pdf - 19:20 [for members of the professions ..] (3:1712-3:1886) (Super)

Codes: [How is the text situated in broader society?]
No memos

for members of the professions participating in international
exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

P19: Visa Facilitation Agreement Serbia.pdf - 19:21 [for persons travelling for tourism] (3:2010-3:2044) (Super)

Codes: [How is the text situated in broader society?]
No memos

for persons travelling for tourism:

P19: Visa Facilitation Agreement Serbia.pdf - 19:22 [for the invited person:] (3:2346-3:2368) (Super)

Codes: [How is the text situated in broader society?]
No memos

for the invited person:

P19: Visa Facilitation Agreement Serbia.pdf - 19:23 [for the inviting person] (3:2601-3:2623) (Super)

Codes: [How is the text situated in broader society?]
No memos

for the inviting person

P19: Visa Facilitation Agreement Serbia.pdf - 19:24 [for the inviting legal person,...] (3:2662-3:2715) (Super)

Codes: [How is the text situated in broader society?]
No memos

for the inviting legal person, company or organisation

P19: Visa Facilitation Agreement Serbia.pdf - 19:25 [Diplomatic missions and consular...] (3:3471-3:4643) (Super)

Codes: [How is the text situated in broader society?]
No memos

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

(a) for members of national and provincial/regional Governments and Parliaments, the Constitutional Court and the Supreme Court of Cassation in case they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties, with the term of validity limited to their term of office if this is less than five years;

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

(c) for spouses and children (including adopted), who are under the age of 21 or are dependent and parents visiting citizens of the Republic of Serbia 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

P19: Visa Facilitation Agreement Serbia.pdf - 19:26 [Diplomatic missions and consul..] (4:4-4:2350) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with a 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) for members of official delegations who, following an official invitation addressed to the Republic of Serbia, shall regularly participate in meetings, consultations, negotiations or

exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(b) for business people and representatives of business organisations who regularly travel to Member States;

- (c) for drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Serbia;
- (d) for members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;
- (e) for journalists;
- (f) for persons participating in scientific, cultural and artistic activities, including university and other exchange programmes who regularly travel to Member States;
- (g) for students and post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;
- (h) for participants in international sport events and persons accompanying them in a professional capacity;
- (i) for participants in official exchange programmes organised by twin municipalities and cities;
- (j) for persons needing to visit regularly for medical reasons and necessary accompanying persons;
- (k) for representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;
- (l) for representatives of religious communities registered in the Republic of Serbia, who regularly travel to the Member States;
- (m) for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States.

P19: Visa Facilitation Agreement Serbia.pdf - 19:27 [Fees for processing the visa a..] (4:3565-5:1344) (Super)

Codes: [How is the text situated in broader society?]

No memos

Fees for processing the visa application are waived for the following categories of persons:

- (a) for members of official delegations who, following an official invitation addressed to the Republic of Serbia, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territories of the Member States by intergovernmental organisations;

- (b) for members of national and provincial/regional Governments and Parliaments, the Constitutional Court and the Supreme Court of Cassation, in case they are not exempted from the visa requirement by the present Agreement;
- (c) for persons participating in scientific, cultural and artistic activities, including university and other exchange programmes;
- (d) for pupils, students, post-graduate students 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;
- (e) for participants in international sport events and persons accompanying them in a professional capacity;
- (f) for participants in official exchange programmes organised by twin municipalities and cities;
- (g) for disabled persons and the person accompanying them, if necessary;
- L 334/140 EN Official Journal of the European Union 19.12.2007(h) for representatives of civil society organisations travelling to attend meetings, seminars, exchange programmes or training courses;
- (i) for 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;
- (j) for journalists;
- (k) for drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Serbia;
- (l) for members of train, refrigerator and locomotive crews travelling to the territories of the Member States;
- (m) for close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren, visiting citizens of the Republic of Serbia legally residing in the territories of the Member States.
- (n) for representatives of religious communities registered in the Republic of Serbia, who regularly travel to the Member States;
- (o) for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States;
- (p) for pensioners;
- (q) for children under six years of age.

Codes: [How is the text situated in broader society?]
No memos

Citizens of the Republic of Serbia, holders of valid diplomatic passports can enter, leave and transit through the territories of the Member States without visas.
2. Persons mentioned in paragraph 1 of this Article may stay in the territories of the Member States for a period not exceeding 90 days per period of 180 days.

P19: Visa Facilitation Agreement Serbia.pdf - 19:29 [The Parties shall set up a Joi..] (5:4125-5:4437) (Super)

Codes: [How is the text situated in broader society?]
No memos

The Parties shall set up a Joint Committee of experts (hereinafter referred to as 'the Committee'), composed of representatives of the European Community and of the Republic of Serbia.
The Community shall be represented by the Commission of the European Communities, assisted by experts from the Member States.

P19: Visa Facilitation Agreement Serbia.pdf - 19:30 [PROTOCOL TO THE AGREEMENT ON T..] (8:8-8:1008) (Super)

Codes: [How is the text situated in broader society?]
No memos

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.
These Member States may unilaterally recognise Schengen visas and residence permits for the transit through their territory, in accordance with European Parliament and Council Decision No 895/2006/EC of 14 June 2006.
As European Parliament and Council Decision No 895/2006/EC of 14 June 2006 does not apply to Romania and Bulgaria; similar provisions will be proposed by the European Commission in order to enable these countries to unilaterally recognise Schengen visas and residence permits and other similar documents issued by other Member States not yet fully integrated into the Schengen area for the purpose of transit through their territory.

P19: Visa Facilitation Agreement Serbia.pdf - 19:31 [JOINT DECLARATION CONCERNING D..] (9:1-9:510) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 posts of the Kingdom of Denmark.

In such circumstances, it is desirable that the authorities of Denmark and of the Republic of Serbia 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 Community and the Republic of Serbia.

P19: Visa Facilitation Agreement Serbia.pdf - 19:32 [JOINT DECLARATION CONCERNING T..] (9:513-9:886) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 the Republic of Serbia, conclude bilateral agreements on the facilitation of the issuance of visas.

P19: Visa Facilitation Agreement Serbia.pdf - 19:33 [JOINT DECLARATION CONCERNING I..] (9:889-9:1521) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING ICELAND AND NORWAY

The Parties take note of the close relationship between the European Community and Norway and Iceland, particularly by virtue of the Agreement of 18 May 1999 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 and the Republic of Serbia conclude, without delay, bilateral agreements on the facilitation of the issuance of short-stay visas in similar terms as the Agreement between the European Community and the Republic of Serbia

P19: Visa Facilitation Agreement Serbia.pdf - 19:34 [JOINT DECLARATION CONCERNING S..] (9:1525-9:2038) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING SWISS CONFEDERATION AND LIECHTENSTEIN

(ifneeded)

If the Agreement between the EU, the EC and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen acquis and the Protocols to this Agreement concerning Liechtenstein has entered into force by the time negotiations with the Republic of Serbia have concluded, a similar declaration will also be made in respect of Switzerland and Liechtenstein.

P19: Visa Facilitation Agreement Serbia.pdf - 19:35 [EUROPEAN COMMUNITY DECLARATION..] (11:1-11:1225) (Super)

Codes: [How is the text situated in broader society?]

No memos

EUROPEAN COMMUNITY DECLARATION ON FACILITATIONS FOR FAMILY MEMBERS AND BONA FIDE APPLICANTS

The European Community takes note of the suggestion of the Republic of Serbia to give a wider definition to the notion of family members that should benefit from visa facilitation as well as of the importance that the Republic of Serbia 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 citizens of Serbia legally residing in the territories of Member States, the European Community invites the Member States' consular offices to make full use of the existing possibilities in the acquis communautaire 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.

In addition, the European Community also invites the Member States' consular offices to make full use of these possibilities for the facilitation of the issuance of visas to bonafide applicants.

P19: Visa Facilitation Agreement Serbia.pdf - 19:36 [POLITICAL DECLARATION FROM BUL..] (11:1228-11:1725) (Super)

Codes: [How is the text situated in broader society?]

No memos

POLITICAL DECLARATION FROM BULGARIA, HUNGARY AND ROMANIA ON LOCAL BORDER TRAFFIC

Bulgaria, Hungary and Romania declare their willingness to enter into negotiations of bilateral agreements with the Republic of Serbia for the purpose of implementing the local border traffic regime established by the EC Regulation No 1931/2006 of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:1 [AGREEMENT between the European..] (1:1-1:98) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT

between the European Community and Ukraine on the facilitation of the issuance of visas

P20: Visa Facilitation Agreement Ukraine.pdf - 20:2 [THE EUROPEAN COMMUNITY, herein..] (1:101-1:225) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN COMMUNITY,

hereinafter referred to as 'the Community', and

UKRAINE,

hereinafter referred to as 'the Parties',

P20: Visa Facilitation Agreement Ukraine.pdf - 20:3 [The purpose of this Agreement ..] (1:2396-1:2832) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 Ukraine.

2. If Ukraine would reintroduce the visa requirement for EU citizens or certain categories of EU citizens, the same facilitations granted under this agreement to the Ukrainian citizens would automatically, on the basis of reciprocity, apply to EU citizens concerned.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:4 [The visa facilitations provide..] (1:2865-1:3450) (Super)

Codes: [How is the text situated in broader society?]

No memos

The visa facilitations provided in this Agreement shall apply to citizens of Ukraine 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 Ukraine, 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.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:5 [For the following categories o..] (2:1038-2:1487) (Super)

Codes: [How is the text situated in broader society?]

No memos

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

(a) for members of official delegations who, following an official invitation addressed to Ukraine, 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:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:6 [for business people and repres..] (2:1727-2:1792) (Super)

Codes: [How is the text situated in broader society?]

No memos

for business people and representatives of business organisations:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:7 [for drivers conducting interna..] (2:2101-2:2257) (Super)

Codes: [How is the text situated in broader society?]

No memos

for drivers conducting international cargo and passenger transportation services to the territories of the Member

States in vehicles registered in Ukraine:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:8 [for members of train, refriger..] (2:2448-2:2581) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of train, refrigerator and locomotive crews in
international trains, travelling to the territories of the
Member States:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:9 [for journalists:] (2:2715-2:2730) (Super)

Codes: [How is the text situated in broader society?]

No memos

for journalists:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:10 [for persons participating in s..] (2:2991-2:3118) (Super)

Codes: [How is the text situated in broader society?]

No memos

for persons participating in scientific, cultural and artistic
activities, including university and other exchange
programmes:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:11 [for pupils, students, post-gra..] (2:3209-2:3446) (Super)

Codes: [How is the text situated in broader society?]

No memos

for pupils, students, post-graduate students 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:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:12 [for participants in internatio..] (3:5-3:110) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in international sports events and persons
accompanying them in a professional capacity:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:13 [for participants in official e..] (3:272-3:417) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in official exchange programmes organised
by twin cities: a written request of the Head of Administration/Mayor of these cities;

P20: Visa Facilitation Agreement Ukraine.pdf - 20:14 [for close relatives — spouse, ..] (3:424-3:634) (Super)

Codes: [How is the text situated in broader society?]

No memos

for close relatives — spouse, children (including adopted),
parents (including custodians), grandparents and grandchildren — visiting citizens of Ukraine legally residing in
the territory of the Member States:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:15 [relatives visiting for burial ..] (3:684-3:724) (Super)

Codes: [How is the text situated in broader society?]

No memos

relatives visiting for burial ceremonies:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:16 [for visiting military and civi..] (3:884-3:930) (Super)

Codes: [How is the text situated in broader society?]

No memos

for visiting military and civil burial grounds:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:17 [for visiting for medical reaso..] (3:1096-3:1128) (Super)

Codes: [How is the text situated in broader society?]

No memos

for visiting for medical reasons:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:18 [for the invited person] (3:1417-3:1438) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the invited person

P20: Visa Facilitation Agreement Ukraine.pdf - 20:19 [for the inviting person] (3:1644-3:1666) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting person

P20: Visa Facilitation Agreement Ukraine.pdf - 20:20 [for the inviting legal person,..] (3:1707-3:1761) (Super)

Codes: [How is the text situated in broader society?]

No memos

for the inviting legal person, company or organisation:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:21 [Diplomatic missions and consul..] (3:2511-4:126) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with the term of validity of up to five years to the following categories of persons:
(a) members of national and regional Governments and Parliaments, Constitutional Courts and Supreme Courts if

they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties, with a term of validity limited to their term of office if this is less than 5 years;

(b) permanent members of official delegations who, following official invitations addressed to Ukraine, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(c) spouses and children (including adopted), who are under the age of 21 or are dependant, and parents (including custodians) visiting citizens of Ukraine 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.

L 332/70 Official Journal of the European Union 18.12.2007 EN(d) business people and representatives of business organisations who regularly travel to the Member States;

(e) journalists.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:22 [Diplomatic missions and consul..] (4:132-4:1194) (Super)

Codes: [How is the text situated in broader society?]

No memos

Diplomatic missions and consular posts 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) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in Ukraine;

(b) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(c) persons participating in scientific, cultural and artistic activities, including university and other exchange

programmes, who regularly travel to the Member States;
(d) participants in international sports events and persons accompanying them in a professional capacity;
(e) participants in official exchange programmes organised by twin cities.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:23 [Fees for processing the visa a..] (4:2873-5:977) (Super)

Codes: [How is the text situated in broader society?]

No memos

Fees for processing the visa application are waived for the following categories of persons:

(a) for close relatives — spouses, children (including adopted) parents (including custodians), grandparents and grandchildren — of citizens of Ukraine legally residing in the territory of the Member States;

(b) for members of official delegations who, following an official invitation addressed to Ukraine, 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;

(c) members of national and regional Governments and Parliaments, Constitutional Courts and Supreme Courts, in case they are not exempted from the visa requirement by the present Agreement;

(d) pupils, students, post-graduate students and accompanying teachers who undertake trips for the purpose of study or educational training;

(e) disabled persons and the person accompanying them, if necessary;

18.12.2007 Official Journal of the European Union L 332/71 EN(f) 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 close relative seriously ill;
(g) participants in international sports events and persons accompanying them;

- (h) persons participating in scientific, cultural and artistic activities including university and other exchange programmes;
- (i) participants in official exchange programmes organised by twin cities;
- (j) journalists;
- (k) pensioners;
- (l) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in Ukraine;
- (m) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;
- (n) children under the age of 18 and dependant children under the age of 21.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:24 [Citizens of Ukraine, holders o..] (5:2549-5:2860) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizens of Ukraine, holders of valid diplomatic passports can enter, leave and transit through the territories of the Member States without visas.

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

P20: Visa Facilitation Agreement Ukraine.pdf - 20:25 [The Parties shall set up a joi..] (6:65-6:362) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Parties shall set up a joint committee of experts (hereinafter referred to as 'the Committee'), composed by representatives of the European Community and of Ukraine. The Community shall be represented by the Commission of the European Communities, assisted by experts from the Member States.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:26 [PROTOCOL TO THE AGREEMENT ON T...] (8:1-8:534) (Super)

Codes: [How is the text situated in broader society?]

No memos

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.

These Member States may unilaterally recognise Schengen visas and residence permits for the purpose of transit through their territory, in accordance with Council Decision No 895/2006/EC

P20: Visa Facilitation Agreement Ukraine.pdf - 20:27 [JOINT DECLARATION CONCERNING D...] (8:848-8:1317) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 posts of the Kingdom of Denmark.

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

P20: Visa Facilitation Agreement Ukraine.pdf - 20:28 [JOINT DECLARATION CONCERNING T...] (8:1320-8:1678) (Super)

Codes: [How is the text situated in broader society?]

No memos

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 Ukraine, conclude bilateral agreements on the facilitation of the issuance of visas.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:29 [JOINT DECLARATION CONCERNING I...] (8:1681-8:2274) (Super)

Codes: [How is the text situated in broader society?]
No memos

JOINT DECLARATION CONCERNING ICELAND AND NORWAY

The Parties take note of the close relationship between the European Community and Norway and Iceland, particularly by virtue of the Agreement of 18 May 1999 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 and Ukraine conclude, without delay, bilateral agreements on the facilitation of the issuance of visas in similar terms as the Agreement between the European Community and Ukraine.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:30 [DRAFT POLITICAL DECLARATION ON..] (9:1934-9:2520) (Super)

Codes: [How is the text situated in broader society?]
No memos

DRAFT POLITICAL DECLARATION ON LOCAL BORDER TRAFFIC

DECLARATION FROM POLAND, HUNGARY, SLOVAK REPUBLIC AND ROMANIA

The Republic of Hungary, the Republic of Poland, the Slovak Republic, as well as Romania as from the date of joining the EU, declare their willingness to enter into negotiations of bilateral agreements with Ukraine for the purpose of implementing the local border traffic regime established by the EC Regulation adopted on 5 October 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the Schengen Convention.

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:1 [AGREEMENT between the European..] (1:1-1:162) (Super)

Codes: [How is the text situated in broader society?]
No memos

AGREEMENT

between the European Union and Ukraine amending the Agreement between the European Community and Ukraine on the facilitation of the issuance of visas

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:2 [THE EUROPEAN UNION, of the one..] (1:165-1:278) (Super)

Codes: [How is the text situated in broader society?]
No memos

THE EUROPEAN UNION,
of the one part, and
UKRAINE,
of the other part,
hereinafter referred to as 'the Parties',

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:3 [he Agreement between the Europ..] (1:1767-1:2066) (Super)

Codes: [How is the text situated in broader society?]

No memos

he Agreement between the European Community and Ukraine
on the facilitation of the issuance of visas, hereinafter referred to
as 'the Agreement', shall be amended in accordance with the
provisions of this Article:

(1) In the title, the word 'Community' shall be replaced by the
word 'Union'.

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:4 [In Article 2(1) and (2), the w..] (1:2358-1:2453) (Super)

Codes: [How is the text situated in broader society?]

No memos

In Article 2(1) and (2), the word 'Community' shall be
replaced by the words 'European Union'.

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:5 [for representatives of civil s..] (2:950-2:1146) (Super)

Codes: [How is the text situated in broader society?]

No memos

for representatives of civil society organisations
when undertaking trips for the purposes of
educational training, seminars, conferences,
including in the framework of exchange
programmes:

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:6 [for members of the professions..] (2:1458-2:1637) (Super)

Codes: [How is the text situated in broader society?]

No memos

for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:7 [for representatives of religio..] (2:1764-2:1808) (Super)

Codes: [How is the text situated in broader society?]

No memos

for representatives of religious communities:

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:8 [for participants in official E..] (2:1948-2:2109) (Super)

Codes: [How is the text situated in broader society?]

No memos

for participants in official European Union cross-border cooperation programmes, such as under the European Neighbourhood and Partnership Instrument (ENPI):

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:9 ['or citizens of the European U..] (3:3607-3:3720) (Super)

Codes: [How is the text situated in broader society?]

No memos

'or citizens of the European Union residing in the territory of the Member State of which they are nationals';

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:10 [and other municipal entities] (3:3780-3:3807) (Super)

Codes: [How is the text situated in broader society?]

No memos

and other municipal entities

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:11 [in point (j) the following wor..] (3:3817-3:3938) (Super)

Codes: [How is the text situated in broader society?]

No memos

in point (j) the following words shall be added:
'and the technical crew accompanying them in a professional capacity';

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:12 [he following points shall be a..] (3:3946-4:168) (Super)

Codes: [How is the text situated in broader society?]

No memos

he following points shall be added:

'(o) representatives of the religious communities;

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

held in the territory of the Member States;

(q) participants aged 25 years or less in seminars, conferences, sports, cultural or educational events, organised by non-profit organisations;

(r) representatives of civil society organisations undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;

20.6.2013 Official Journal of the European Union L 168/13 EN(s) for participants in official European Union cross-border cooperation programmes, such as under the European Neighbourhood and Partnership Instrument (ENPI).';

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:13 [EUROPEAN UNION DECLARATION ON ..] (6:348-6:1421) (Super)

Codes: [How is the text situated in broader society?]

No memos

EUROPEAN UNION DECLARATION ON FACILITATIONS FOR FAMILY MEMBERS

The European Union takes note of the suggestion of Ukraine to give a wider definition to the notion of family members that should benefit from visa facilitation as well as of the importance that Ukraine 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 citizens of Ukraine legally residing in the territories of Member States or with citizens of the European Union residing in the territory of the Member State of which they are nationals, the European Union invites the Member States' consular offices to make full use of the existing possibilities in the Visa Code 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.

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:14 [JOINT DECLARATION CONCERNING S..] (7:576-7:1176) (Super)

Codes: [How is the text situated in broader society?]

No memos

JOINT DECLARATION CONCERNING SWITZERLAND AND LIECHTENSTEIN

The Parties take note of the close relationship between the Union and Switzerland and Liechtenstein, particularly by virtue of the Agreement of 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 Switzerland and Liechtenstein and Ukraine conclude, without delay, bilateral agreements on the facilitation of the issuance of short-stay visas in similar terms as the amended Agreement.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:1 [THE COUNCIL OF THE EUROPEAN UN..] (1:313-1:569) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:2 [The determination of those thi..] (1:1128-1:1555) (Super)

Codes: [How is the text situated in broader society?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:3 [The circumstances of third-cou..] (1:1562-1:2042) (Super)

Codes: [How is the text situated in broader society?]

No memos

The circumstances of third-country nationals residing lawfully in a Member State and holding a residence permit issued by that State are such that further visa requirements are superfluous when they cross external borders. The principle that a residence permit is equivalent to a visa should be laid down for this category of persons, without prejudice to other conditions for entry or to other rules applying to travel within the Community by holders of residence permits.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:4 [As regards stateless persons, ..] (1:2049-1:2482) (Super)

Codes: [How is the text situated in broader society?]

No memos

As regards stateless persons, who have lost any links with any particular State, and recognised refugees, who are

unable to avail themselves of the protection of the State of which they have the nationality, the decision as to the visa requirement or exemption should be based on a simple criterion reflecting the fact that the State where these persons reside affords them its protection and issues them with travel documents.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:5 [This Regulation provides for f..] (1:3483-1:3811) (Super)

Codes: [How is the text situated in broader society?]

No memos

This Regulation provides for full harmonisation as regards the third countries whose nationals are subject to the visa requirement for the crossing of Member States' external borders, and those whose nationals are exempt from that requirement. Accordingly, it is appropriate to replace existing Community law on the subject,

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:6 [Nationals of third countries o..] (1:3858-1:4015) (Super)

Codes: [How is the text situated in broader society?]

No memos

Nationals of third countries on the list in Annex I shall be required to be in possession of a visa when crossing the external borders of the Member States.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:7 [Nationals of third countries o..] (1:4021-1:4141) (Super)

Codes: [How is the text situated in broader society?]

No memos

Nationals of third countries on the common list in Annex II shall be exempt from the requirement set out in paragraph 1.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:8 [Nationals of third countries f..] (2:4-2:282) (Super)

Codes: [How is the text situated in broader society?]

No memos

Nationals of third countries formerly part of countries on the lists contained in Annexes I and II shall be subject to the requirements of paragraphs 1 and 2 unless and until the Council decides otherwise under the procedure laid down in the relevant provision of the Treaty.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:9 [For nationals of third countri..] (2:795-2:985) (Super)

Codes: [How is the text situated in broader society?]

No memos

For nationals of third countries listed in Annex I, a valid residence permit issued by one of the Member States shall be equivalent to a visa for the purposes of crossing external borders.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:10 [Stateless persons and recognis..] (2:999-2:1228) (Super)

Codes: [How is the text situated in broader society?]

No memos

Stateless persons and recognised refugees shall be subject to the visa requirement or shall be exempted from it on the same terms as nationals of the non-member State in which they reside and which issued their travel document.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:11 [A Member State may provide for..] (2:1245-2:1819) (Super)

Codes: [How is the text situated in broader society?]

No memos

A Member State may provide for exceptions from the visa requirement provided for by Article 1(1) or for the exemption from the visa requirement provided for by Article 1(2) as regards:

- (a) holders of diplomatic passports, official-duty passports and other official passports;
- (b) civilian air and sea crew;
- (c) the flight crew and attendants on emergency or rescue flights and other helpers in the event of disaster or accident;
- (d) the crew of ships navigating in international waters;
- (e) the holders of official documents issued by international organisations.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:12 [A Member State may exempt from..] (2:1825-2:2154) (Super)

Codes: [How is the text situated in broader society?]

No memos

A Member State may exempt from the visa requirement a school pupil having the nationality of a third country listed in Annex I who resides in a third country listed in Annex II and is travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:13 [STATES Afghanistan Albania Alg..] (3:47-3:1555) (Super)

Codes: [How is the text situated in broader society?]

No memos

STATES

Afghanistan

Albania

Algeria

Angola

Antigua and Barbuda

Armenia

Azerbaijan

Bahamas

Bahrain

Bangladesh

Barbados
Belarus
Belize
Benin
Bhutan
Bosnia and Herzegovina
Botswana
Burkina Faso
Burma/Myanmar
Burundi
Cambodia
Cameroon
Cape Verde
Central African Republic
Chad
China
Colombia
Congo
Côte d'Ivoire
Cuba
Democratic Republic of the Congo
Djibouti
Dominica
Dominican Republic
Egypt
Equatorial Guinea
Eritrea
Ethiopia
Federal Republic of Yugoslavia (Serbia-
Montenegro)
Fiji
Former Yugoslav Republic of Macedonia
Gabon
Gambia
Georgia
Ghana
Grenada

Guinea
Guinea-Bissau
Guyana
Haiti
India
Indonesia
Iran
Iraq
Jamaica
Jordan
Kazakhstan
Kenya
Kiribati
Kuwait
Kyrgyzstan
Laos
Lebanon
Lesotho
Liberia
Libya
Madagascar
Malawi
Maldives
Mali
Marshall Islands
Mauritania
Mauritius
Micronesia
Moldova
Mongolia
Morocco
Mozambique
Namibia
Nauru
Nepal
Niger
Nigeria

North Korea
Northern Marianas
Oman
Pakistan
Palau
Papua New Guinea
Peru
Philippines
Qatar
Russia
Rwanda
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
São Tomé and Príncipe
Saudi Arabia
Senegal
Seychelles
Sierra Leone
Solomon Islands
Somalia
South Africa
Sri Lanka
Sudan
Surinam
Swaziland
Syria
Tajikistan
Tanzania
Thailand
The Comoros
Togo
Tonga
Trinidad and Tobago
Tunisia
Turkey
Turkmenistan

Tuvalu
Uganda
Ukraine
United Arab Emirates
Uzbekistan
Vanuatu
Vietnam
Western Samoa
Yemen
Zambia
Zimbabwe

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:14 [ENTITIES AND TERRITORIAL AUTHO..] (3:1561-3:1702) (Super)

Codes: [How is the text situated in broader society?]

No memos

ENTITIES AND TERRITORIAL AUTHORITIES THAT ARE NOT RECOGNISED AS STATES BY AT LEAST ONE MEMBER STATE

East Timor
Palestinian Authority
Taiwan

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:15 [STATES Andorra Argentina Austr..] (4:48-4:674) (Super)

Codes: [How is the text situated in broader society?]

No memos

STATES
Andorra
Argentina
Australia
Bolivia
Brazil
Brunei
Bulgaria
Canada
Chile
Costa Rica

Croatia
Cyprus
Czech Republic
Ecuador
Estonia
Guatemala
Holy See
Honduras
Hungary
Israel
Japan
Latvia
Lithuania
Malaysia
Malta
Mexico
Monaco
New Zealand
Nicaragua
Panama
Paraguay
Poland
Romania
Salvador
San Marino
Singapore
Slovakia
Slovenia
South Korea
Switzerland
United States of America
Uruguay
Venezuela
Iceland (
1
)
Liechtenstein (

1

)

Norway (

1

)

2. ENTITIES AND TERRITORIAL AUTHORITIES THAT ARE NOT RECOGNISED AS STATES BY AT LEAST ONE MEMBER STATE

Hong Kong SAR

Macao SAR

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:1 [Proposal for a COUNCIL REGULAT...] (1:1-1:237) (Super)

Codes: [How is the text situated in broader society?]

No memos

Proposal for a COUNCIL REGULATION listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement
(presented by the Commission)

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:2 [The Amsterdam Treaty brought a...] (1:795-1:1354) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?]

No memos

The Amsterdam Treaty brought all the other aspects of visa policy into the Community framework, integrating them into the new Title IV of the EC Treaty (visas, asylum, immigration and other policies related to free movement of persons), the objective of which is to establish an area of freedom, security and justice. At the same time, a Protocol annexed to the Amsterdam Treaty integrated the Schengen acquis in the Union; this extended to the whole range of harmonisation measures regarding visas which the Schengen States have so far introduced.

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:3 [Regulation (EC) No 574/99, lik...] (1:1820-1:2134) (Super)

Codes: [How is the text situated in broader society?]

No memos

Regulation (EC) No 574/99, like its predecessor, Regulation (EC) No 2317/95, merely lays down a common list of third countries whose nationals are subject to a visa requirement. Member States remained free to decide whether or not to impose a visa requirement for nationals of third countries not on the list.

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:4 [he law established by intergov..] (1:2141-2:466) (Super)

Codes: [How is the text situated in broader society?]

No memos

he law established by intergovernmental cooperation in the Schengen context
In the Schengen context, certain Member States developed closer cooperation in visa matters. The legality of this cooperation in terms of Community law was confirmed by Regulations (EC) Nos 2317/95 and 574/99, which provided that they were "without prejudice to any further harmonisation between individual Member States, going beyond the common list".

The Schengen States developed further harmonisation of visa policy in relation to countries not listed in Regulations (EC) Nos 2317/95 and 574/99. This harmonisation proceeded by stages; the final outcome by the time Schengen was integrated into the European Union was:(a) a list of 32 third countries not listed in Regulation (EC) No 574/99 whose nationals are subject to a visa requirement in all Schengen States;
(b) a list of 44 third countries whose nationals are exempt from the visa requirement in all the Schengen States (there was no equivalent in Regulation (EC) No 574/99, where there is no such list).

There was only a single country in relation to which the Schengen States did not achieve a harmonised position.

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:5 [The concept of third-country n..] (5:2697-6:1815) (Super)

Codes: [How is the text situated in broader society?]

No memos

The concept of third-country national within the meaning of Article 62(2)(b)(i) of the EC Treaty also covers categories of persons with special status in international law. These are people who cannot seek the protection of the State of which they have the nationality (recognised refugees) or persons who have lost their connecting factor with a given State (stateless persons).

Regulation (EC) No 574/99 left the Member States free to determine whether or not to impose a visa requirement for these two categories. In the proposed new arrangements, the decision to impose a visa requirement or give exemption from it flows from an objective criterion.

For stateless persons within the meaning of the New York Convention of 28 September 1954 and recognised refugees within the meaning of the Geneva Convention of 28 July 1951, the visa requirement or exemption from it presupposes a specific framework mechanism. For stateless persons, the reference to the rules relating to a specific country is out of the question, as statelessness obviously implies that there is no connecting factor to a particular country. For recognised refugees, reference to the country of origin is likewise inconceivable since the refugee has to all intents and purposes severed his links with his country and cannot seek its protection.

On the other hand, what stateless persons and recognised refugees have in common is that they enjoy the protection of the country where they regularly reside. Article 28 of each of the two Conventions provides that "Contracting States shall issue to stateless persons [refugees] lawfully staying in their territory travel documents for the purpose of travel outside their territory". It follows that the visa requirement or exemption for stateless persons and refugees could be based on the rules applying to nationals of the State giving its protection to the stateless person or refugee. The proposed mechanism, which would constitute further progress towards harmonisation, has the advantage of being simple. It is also logical: the situation of a stateless person or refugee in relation to the non-member State giving its protection is broadly comparable to the situation of that State's nationals in terms of the obligation to readmit them and of the reliability of their travel documents.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:1 [IS MAJESTY THE KING OF THE BEL...] (7:2-7:264) (Super)

Codes: [How is the text situated in broader society?]

No memos

IS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS (),

P24: Consolidated Treaty on Establishing European Community.pdf - 24:2 [eoples of Europe,] (7:336-7:352) (Super)

Codes: [How is the text situated in broader society?]

No memos

peoples of Europe,

P24: Consolidated Treaty on Establishing European Community.pdf - 24:3 [high binds Europe and the over..] (7:1171-7:1348) (Super)

Codes: [How is the text situated in broader society?]

No memos

high binds Europe and the overseas countries and desiring to
ensure the development of their prosperity, in accordance with the principles of the Charter of the
United Nations,

P24: Consolidated Treaty on Establishing European Community.pdf - 24:4 [ther peoples of Europe who sha..] (7:1461-7:1504) (Super)

Codes: [How is the text situated in broader society?]

No memos

ther peoples of Europe who share their ideal

P24: Consolidated Treaty on Establishing European Community.pdf - 24:5 [EUROPEAN COMMUNITY] (7:1731-7:1748) (Super)

Codes: [How is the text situated in broader society?]

No memos

EUROPEAN COMMUNITY

P24: Consolidated Treaty on Establishing European Community.pdf - 24:6 [y this Treaty, the HIGH CONTRA..] (8:35-8:127) (Super)

Codes: [How is the text situated in broader society?]

No memos

y this Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN
COMMUNITY.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:7 [hroughout the Community] (8:343-8:365) (Super)

Codes: [How is the text situated in broader society?]

No memos

throughout the Community

P24: Consolidated Treaty on Establishing European Community.pdf - 24:8 [solidarity among Member States...] (8:821-8:850) (Super)

Codes: [How is the text situated in broader society?]

No memos

solidarity among Member States.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:9 [relations between Member States,] (8:1309-8:1332) (Super)

Codes: [How is the text situated in broader society?]

No memos

relations between Member States,

P24: Consolidated Treaty on Establishing European Community.pdf - 24:10 [the entry and movement of persons] (8:1435-8:1467) (Super)

Codes: [How is the text situated in broader society?]

No memos

the entry and movement of persons

P24: Consolidated Treaty on Establishing European Community.pdf - 24:11 [the laws of Member States] (8:1719-8:1743) (Super)

Codes: [How is the text situated in broader society?]

No memos

the laws of Member States

P24: Consolidated Treaty on Establishing European Community.pdf - 24:12 [of the Member States] (8:1874-8:1893) (Super)

Codes: [How is the text situated in broader society?]

No memos

of the Member States

P24: Consolidated Treaty on Establishing European Community.pdf - 24:13 [of Community industry;] (9:94-9:115) (Super)

Codes: [How is the text situated in broader society?]

No memos

of Community industry;

P24: Consolidated Treaty on Establishing European Community.pdf - 24:14 [rans-European networks;] (9:240-9:262) (Super)

Codes: [How is the text situated in broader society?]

No memos

rans-European networks;

P24: Consolidated Treaty on Establishing European Community.pdf - 24:15 [he Community s] (9:848-9:861) (Super)

Codes: [How is the text situated in broader society?]

No memos

he Community s

P24: Consolidated Treaty on Establishing European Community.pdf - 24:16 [of the Member States and the C..] (9:1016-9:1053) (Super)

Codes: [How is the text situated in broader society?]

No memos

of the Member States and the Community

P24: Consolidated Treaty on Establishing European Community.pdf - 24:17 [of Member States'] (9:1229-9:1245) (Super)

Codes: [How is the text situated in broader society?]

No memos

of Member States'

P24: Consolidated Treaty on Establishing European Community.pdf - 24:18 [of the Member States and the C..] (9:2073-9:2112) (Super)

Codes: [How is the text situated in broader society?]
No memos

of the Member States and the Community s

P24: Consolidated Treaty on Establishing European Community.pdf - 24:19 [he Community s] (9:2290-9:2303) (Super)

Codes: [How is the text situated in broader society?]
No memos

he Community s

P24: Consolidated Treaty on Establishing European Community.pdf - 24:20 [he Community] (10:62-10:73) (Super)

Codes: [How is the text situated in broader society?]
No memos

he Community

P24: Consolidated Treaty on Establishing European Community.pdf - 24:21 [he Member States] (10:245-10:260) (Super)

Codes: [How is the text situated in broader society?]
No memos

he Member States

P24: Consolidated Treaty on Establishing European Community.pdf - 24:22 [he Community s] (10:393-10:406) (Super)

Codes: [How is the text situated in broader society?]
No memos

he Community s

P24: Consolidated Treaty on Establishing European Community.pdf - 24:23 [EUROPEAN PARLIAMENT, — a COUNC..] (10:837-10:934) (Super)

Codes: [How is the text situated in broader society?]
No memos

EUROPEAN PARLIAMENT,
— a COUNCIL,
— a COMMISSION,
— a COURT OF JUSTICE,
— a COURT OF AUDITORS.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:24 [he Council and the Commission ..] (10:1035-10:1181) (Super)

Codes: [How is the text situated in broader society?]

No memos

he Council and the Commission shall be assisted by an Economic and Social Committee and a Committee of the Regions acting in an advisory capacity.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:25 [Citizenship of the Union is he..] (12:1790-12:2006) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizenship of the Union is hereby established. Every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall complement and not replace national citizenship.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:26 [Citizens of the Union shall en..] (12:2012-12:2132) (Super)

Codes: [How is the text situated in broader society?]

No memos

Citizens of the Union shall enjoy the rights conferred by this Treaty and shall be subject to the duties imposed thereby

P24: Consolidated Treaty on Establishing European Community.pdf - 24:27 [very citizen of the Union shal..] (13:21-13:251) (Super)

Codes: [How is the text situated in broader society?]

No memos

very citizen of the Union shall have the right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in this Treaty and by the

measures adopted to give it effect.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:28 [of nationals of third countrie..] (25:2482-25:2514) (Super)

Codes: [How is the text situated in broader society?]

No memos

of nationals of
third countries,

P24: Consolidated Treaty on Establishing European Community.pdf - 24:29 [preventing and combating crime..] (26:234-26:348) (Super)

Codes: [How is the text situated in broader society?]

No memos

preventing and combating crime within the Union in accordance with the provisions of
the Treaty on European Union.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:30 [measures with a view to ensuri..] (26:547-26:747) (Super)

Codes: [How is the text situated in broader society?]

No memos

measures with a view to ensuring, in compliance with Article 14, the absence of any controls on
persons, be they citizens of the Union or nationals of third countries, when crossing internal
borders;

P24: Consolidated Treaty on Establishing European Community.pdf - 24:31 [the list of third countries wh..] (26:1045-26:1214) (Super)

Codes: [How is the text situated in broader society?]

No memos

the list of third countries whose nationals must be in possession of visas when crossing
the external borders and those whose nationals are exempt from that requirement;

P24: Consolidated Treaty on Establishing European Community.pdf - 24:32 [he procedures and conditions f..] (26:1223-26:1286) (Super)

Codes: [How is the text situated in broader society?]

No memos

the procedures and conditions for issuing visas by Member States;

P24: Consolidated Treaty on Establishing European Community.pdf - 24:33 [under which nationals of third ..] (26:1395-26:1509) (Super)

Codes: [How is the text situated in broader society?]

No memos

under which nationals of third countries shall have the freedom
to travel within the territory of the Member States

P24: Consolidated Treaty on Establishing European Community.pdf - 24:34 [measures on asylum, in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and other relevant treaties, within the following areas:] (26:1754-27:199) (Super)

Codes: [How is the text situated in broader society?]

No memos

measures on asylum, in accordance with the Geneva Convention of 28 July 1951 and the Protocol
of 31 January 1967 relating to the status of refugees and other relevant treaties, within the
following areas:

(a) criteria and mechanisms for determining which Member State is responsible for considering an
application for asylum submitted by a national of a third country in one of the Member States,

(b) minimum standards on the reception of asylum seekers in Member States,

C 325/58 EN Official Journal of the European Communities 24.12.2002(c) minimum standards with respect to the qualification of nationals of third countries as refugees,

(d) minimum standards on procedures in Member States for granting or withdrawing refugee
status;

P24: Consolidated Treaty on Establishing European Community.pdf - 24:35 [measures on refugees and displaced persons within the following areas:] (27:206-27:623) (Super)

Codes: [How is the text situated in broader society?]

No memos

measures on refugees and displaced persons within the following areas:

(a) minimum standards for giving temporary protection to displaced persons from third countries

who cannot return to their country of origin and for persons who otherwise need international
protection,

(b) promoting a balance of effort between Member States in receiving and bearing the consequences of receiving refugees and displaced persons;

P24: Consolidated Treaty on Establishing European Community.pdf - 24:36 [asures on immigration policy ..] (27:630-27:972) (Super)

Codes: [How is the text situated in broader society?]

No memos

asures on immigration policy within the following areas:

- (a) conditions of entry and residence, and standards on procedures for the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunion,
- (b) illegal immigration and illegal residence, including repatriation of illegal residents;

P24: Consolidated Treaty on Establishing European Community.pdf - 24:37 [his title shall not affect the..] (27:1529-27:1712) (Super)

Codes: [How is the text situated in broader society?]

No memos

his title shall not affect the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:38 [ooperation between the relevan..] (28:718-28:898) (Super)

Codes: [How is the text situated in broader society?]

No memos

ooperation between the relevant departments of the administrations of the Member States in the areas covered by this title, as well as between those departments and the Commission.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:39 [uring a transitional period of..] (28:921-28:1692) (Super)

Codes: [How is the text situated in broader society?]

No memos

uring a transitional period of five years following the entry into force of the Treaty of Amsterdam, the Council shall act unanimously on a proposal from the Commission or on the initiative of a Member State and after consulting the European Parliament.

2. After this period of five years:

- the Council shall act on proposals from the Commission; the Commission shall examine any request made by a Member State that it submit a proposal to the Council,
- the Council, acting unanimously after consulting the European Parliament, shall take a decision

with a view to providing for all or parts of the areas covered by this title to be governed by the procedure referred to in Article 251 and adapting the provisions relating to the powers of the Court of Justice.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:40 [he application of this title s..] (29:1688-29:2043) (Super)

Codes: [How is the text situated in broader society?]

No memos

he application of this title shall be subject to the provisions of the Protocol on the position of the United Kingdom and Ireland and to the Protocol on the position of Denmark and without prejudice to the Protocol on the application of certain aspects of Article 14 of the Treaty establishing the European Community to the United Kingdom and to Ireland

P24: Consolidated Treaty on Establishing European Community.pdf - 24:41 [he Court of Justice shall have..] (95:1789-96:245) (Super)

Codes: [How is the text situated in broader society?]

No memos

he Court of Justice shall have jurisdiction to give preliminary rulings concerning:

- (a) the interpretation of this Treaty;
- (b) the validity and interpretation of acts of the institutions of the Community and of the ECB;
- (c) the interpretation of the statutes of bodies established by an act of the Council, where those statutes so provide.

Where such a question is raised before any court or tribunal of a Member State, that court or tribunal may, if it considers that a decision on the question is necessary to enable it to give judgment, request the Court of Justice to give a ruling thereon.

24.12.2002 EN Official Journal of the European Communities C 325/127Where any such question is raised in a case pending before a court or tribunal of a Member State against whose decisions there is no judicial remedy under national law, that court or tribunal shall bring the matter before the Court of Justice.

P25: Schengen Protocol Page 31-2.pdf - 25:1 [Declaration by the Council] (1:18-1:43) (Super)

Codes: [How is the text situated in broader society?]

No memos

Declaration by the Council

P25: Schengen Protocol Page 31-2.pdf - 25:2 [Declaration by the Commission ..] (1:1353-1:1507) (Super)

Codes: [How is the text situated in broader society?]

No memos

Declaration by the Commission

'The Commission wishes to state that in the Mixed Committee it will comply with any common position adopted by the Council.

P25: Schengen Protocol Page 31-2.pdf - 25:3 [That list is not a list of the..] (1:522-1:859) (Super)

Codes: [How is the text situated in broader society?]

No memos

That list is not a list of the areas constituting the entire Schengen acquis as integrated into the framework of the European Union and as it is to be applied and implemented by and between the Member States bound by the Schengen agreements. To that end the Schengen acquis was determined by the Council in its Decision of 20 May 1999.

P26: Schengen Protocol Page 31-1.pdf - 26:1 [COUNCIL DECISION of 17 May 199..] (1:1-1:321) (Super)

Codes: [How is the text situated in broader society?]

No memos

COUNCIL DECISION

of 17 May 1999

on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis

P26: Schengen Protocol Page 31-1.pdf - 26:2 [THE COUNCIL OF THE EUROPEAN UN..] (1:339-1:694) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Protocol integrating the Schengen acquis

into the framework of the European Union, annexed to the Treaty on European Union and to the Treaty establishing the European Community by the Treaty of Amsterdam (hereinafter referred to as 'the Schengen Protocol'), and in particular Article 2 thereof,

P26: Schengen Protocol Page 31-1.pdf - 26:3 [Whereas on 18 May 1999, an Agr..] (1:701-1:1044) (Super)

Codes: [How is the text situated in broader society?]

No memos

Whereas on 18 May 1999, an Agreement based on the first paragraph of Article 6 of the Schengen Protocol was concluded with the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (hereinafter referred to as 'the Agreement

P26: Schengen Protocol Page 31-1.pdf - 26:4 [establishes a Joint Committee,..] (1:1196-1:1225) (Super)

Codes: [How is the text situated in broader society?]

No memos

establishes a Joint Committee,

P26: Schengen Protocol Page 31-1.pdf - 26:5 [provisions of the European Uni..] (1:1322-1:1379) (Super)

Codes: [How is the text situated in broader society?]

No memos

provisions of the
European Union which Iceland and Norway

P26: Schengen Protocol Page 31-1.pdf - 26:6 [Whereas this Decision is witho..] (1:2208-1:2515) (Super)

Codes: [How is the text situated in broader society?]

No memos

Whereas this Decision is without prejudice to the application or the interpretation both of the Protocol on the position of Denmark, annexed by the Treaty of Amsterdam to the Treaty on European Union and to the Treaty establishing the European Community, and of other provisions of the Schengen Protocol

P26: Schengen Protocol Page 31-1.pdf - 26:7 [The procedures laid down in th..] (1:2836-1:3402) (Super)

Codes: [How is the text situated in broader society?]

No memos

The procedures laid down in the Agreement of 18 May 1999 concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (hereinafter referred to as 'the Agreement') shall be applied to proposals and initiatives for the further development of those provisions in respect of which closer cooperation has been authorised under the Schengen Protocol and which fall within one of the following areas:

P26: Schengen Protocol Page 31-1.pdf - 26:8 [The crossing by persons of the..] (1:3408-1:3765) (Super)

Codes: [How is the text situated in broader society?]

No memos

The crossing by persons of the external borders of those States which have decided to abolish checks at their internal borders, including the rules and arrangements with which those States must comply when carrying out checks on persons at external borders, surveillance of border areas and cooperation with the services responsible for border control.

P26: Schengen Protocol Page 31-1.pdf - 26:9 [Short-stay visas, particularly..] (1:3771-1:4113) (Super)

Codes: [How is the text situated in broader society?]

No memos

Short-stay visas, particularly the rules on a uniform visa, the list of countries whose nationals must be in possession of visas for the States concerned and those whose nationals are exempt from that requirement, the procedures and conditions for the issue of uniform visas, and cooperation and consultation between the issuing services.

P26: Schengen Protocol Page 31-1.pdf - 26:10 [Free movement, for a maximum p..] (1:4119-1:4368) (Super)

Codes: [How is the text situated in broader society?]

No memos

Free movement, for a maximum period of three months, of nationals of third countries within the territory of those States which have decided to abolish checks at their internal borders and expulsion of such persons when their position is illegal.

P26: Schengen Protocol Page 31-1.pdf - 26:11 [The penalties applicable to c..] (1:4579-1:4674) (Super)

Codes: [How is the text situated in broader society?]

No memos

The penalties applicable to carriers and those responsible for organising illegal immigration.

P26: Schengen Protocol Page 31-1.pdf - 26:12 [Where a Member State or the Co..] (2:1076-2:1277) (Super)

Codes: [How is the text situated in broader society?]

No memos

Where a Member State or the Commission submits to the Council an initiative or a proposal which it considers to fall within an area covered by Article 1, it shall indicate this in the

text submitted.

P26: Schengen Protocol Page 31-1.pdf - 26:13 [At the request of a Member Sta..] (2:1291-2:1572) (Super)

Codes: [How is the text situated in broader society?]

No memos

At the request of a Member State or of the Commission, the Presidency shall convene a meeting of the Committee of the Permanent Representatives of the Member States to enable a discussion to be held on whether an initiative or proposal falls within an area covered by Article 1.

P27: Schengen Protocol Page 1.pdf - 27:1 [concerning the definition of t..] (1:92-1:385) (Super)

Codes: [How is the text situated in broader society?]

No memos

concerning the definition of the Schengen acquis for the purpose of determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the acquis

P27: Schengen Protocol Page 1.pdf - 27:2 [Acting on the basis of Article..] (1:439-1:751) (Super)

Codes: [How is the text situated in broader society?]

No memos

Acting on the basis of Article 2(1), second subparagraph, first sentence, of the Protocol annexed to the Treaty on European Union and the Treaty establishing the European Community, integrating the Schengen acquis into the framework of the European Union (hereinafter referred to as 'the Schengen Protocol'),

P27: Schengen Protocol Page 1.pdf - 27:3 [he rights and duties of Denmar..] (1:3172-1:3387) (Super)

Codes: [How is the text situated in broader society?]

No memos

he rights and duties of Denmark are governed by Article 3 of the Protocol integrating the Schengen acquis into the framework of the European Union and in Articles 1 to 5 of the Protocol on the position of Denmark,

P27: Schengen Protocol Page 1.pdf - 27:4 [the provisions of the Conventi..] (2:997-2:1369) (Super)

Codes: [How is the text situated in broader society?]

No memos

the provisions of the Convention, signed in Schengen on 19 June 1990, between the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, implementing the Schengen Agreement and its related Final Act and declarations ('the Schengen Convention') which are listed in Part 1 of Annex B;

P27: Schengen Protocol Page 1.pdf - 27:5 [The Agreement, signed in Schen..] (3:41-3:277) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Agreement, signed in Schengen on 14 June 1985, between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders.

P27: Schengen Protocol Page 1.pdf - 27:6 [The Convention, signed in Sche..] (3:283-3:658) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Convention, signed in Schengen on 19 June 1990, between the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, implementing the Agreement on the gradual aboliton of checks at their common borders, signed in Schengen on 14 June 1985, with related Final Act and common declarations.

P27: Schengen Protocol Page 1.pdf - 27:7 [he Accession Protocols and Agr..] (3:665-3:1076) (Super)

Codes: [How is the text situated in broader society?]

No memos

he Accession Protocols and Agreements to the 1985 Agreement and the 1990 implementing Convention with Italy (signed in Paris on 27 November 1990), Spain and Portugal (signed in Bonn on 25 June 1991), Greece (signed in Madrid on 6 November 1992), Austria (signed in Brussels on 28 April 1995) and Denmark, Finland and Sweden (signed in Luxembourg on 19 December 1996), with related Final Acts and declarations.

P27: Schengen Protocol Page 1.pdf - 27:8 [The Convention, signed in Sche..] (10:29-10:270) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Convention, signed in Schengen on 19 June 1990, between the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, implementing the Schengen Agreement:

P27: Schengen Protocol Page 1.pdf - 27:9 [The Protocol, signed in Paris ..] (10:748-10:1095) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Protocol, signed in Paris on 27 November 1990, on accession of the Government of the Italian Republic to the Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985.

P27: Schengen Protocol Page 1.pdf - 27:10 [The following provisions of th..] (10:1101-10:1492) (Super)

Codes: [How is the text situated in broader society?]

No memos

The following provisions of the Agreement, signed in Paris on 27 November 1990, on accession of the Italian Republic to the Convention, signed in Schengen on 19 June 1990, implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of

Germany and the French Republic, its Final Act and related declarations:

P27: Schengen Protocol Page 1.pdf - 27:11 [The Protocol, signed in Bonn o..] (11:4-11:502) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Protocol, signed in Bonn on 25 June 1991, on accession of the Government of the Kingdom of Spain to the Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985, as amended by the Protocol on accession by the Government of the Italian Republic, signed in Paris on 27 November 1990, and its accompanying declarations.

P27: Schengen Protocol Page 1.pdf - 27:12 [The following provisions of th..] (11:508-11:994) (Super)

Codes: [How is the text situated in broader society?]

No memos

The following provisions of the Agreement, signed in Bonn on 25 June 1991, on accession of the Kingdom of Spain to the Convention, signed in Schengen on 19 June 1990, implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic, to which the Italian Republic has acceded under the Agreement signed in Paris on 27 November 1990, its Final Act and related declarations:

P27: Schengen Protocol Page 1.pdf - 27:13 [The Protocol, signed in Bonn o..] (11:1163-11:1664) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Protocol, signed in Bonn on 25 June 1991, on accession of the Government of the Portuguese Republic to the Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985, as amended by the Protocol on accession by the Government of the Italian Republic, signed in Paris on 27 November 1990, and its accompanying declarations.

P27: Schengen Protocol Page 1.pdf - 27:14 [The following provisions of th..] (11:1670-11:2159) (Super)

Codes: [How is the text situated in broader society?]

No memos

The following provisions of the Agreement, signed in Bonn on 25 June 1991, on accession of the Portuguese Republic to the Convention, signed in Schengen on 19 June 1990, implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic, to which the Italian Republic has acceded under the Agreement signed in Paris on 27 November 1990, its Final Act and related declarations:

P27: Schengen Protocol Page 1.pdf - 27:15 [The Protocol, signed in Madrid..] (11:2331-11:2944) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Protocol, signed in Madrid on 6 November 1992, on accession of the Government of the Hellenic Republic to the Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985, as amended by the Protocols on accession by the Government of the Italian Republic, signed in Paris on 27 November 1990, and by the Governments of the Kingdom of Spain and the Portuguese Republic, signed in Bonn on 25 June 1991, and its accompanying declaration.

P27: Schengen Protocol Page 1.pdf - 27:16 [The following provisions of th..] (11:2950-11:3548) (Super)

Codes: [How is the text situated in broader society?]

No memos

The following provisions of the Agreement, signed in Madrid on 6 November 1992, on accession of the Hellenic Republic to the Convention, signed in Schengen on 19 June 1990, implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic, to which have acceded the Italian Republic under the Agreement signed in Paris on 27 November 1990 and the Kingdom of Spain and the Portuguese Republic under the Agreements signed in Bonn on 25 June 1991, its Final Act and related declarations

P27: Schengen Protocol Page 1.pdf - 27:17 [The Protocol, signed in Brusse..] (12:122-12:711) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Protocol, signed in Brussels on 28 April 1995, on accession of the Government of the Republic of Austria to

the Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985, as amended by the Protocols on accession by the Governments of the Italian Republic, the Kingdom of Spain and the Portuguese Republic, and the Hellenic Republic, signed on 27 November 1990, 25 June 1991 and 6 November 1992 respectively.

P27: Schengen Protocol Page 1.pdf - 27:18 [The following provisions of th..] (12:718-12:1309) (Super)

Codes: [How is the text situated in broader society?]

No memos

The following provisions of the Agreement, signed in Brussels on 28 April 1995, on accession of the Republic of Austria to the Convention, signed in Schengen on 19 June 1990, implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic, to which have acceded the Italian Republic, the Kingdom of Spain and the Portuguese Republic, and the Hellenic Republic under the Agreements signed on 27 November 1990, 25 June 1991 and 6 November 1992 respectively, and its Final Act:

P27: Schengen Protocol Page 1.pdf - 27:19 [The Protocol, signed in Luxemb..] (12:1399-12:1656) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Protocol, signed in Luxembourg on 19 December 1996, on accession by the Government of the Kingdom of Denmark to the Agreement on the gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985, and its related declaration.

P27: Schengen Protocol Page 1.pdf - 27:20 [The following provisions of th..] (12:1663-12:1999) (Super)

Codes: [How is the text situated in broader society?]

No memos

The following provisions of the Agreement, signed in Luxembourg on 19 December 1996, on accession of the Kingdom of Denmark to the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of controls at their common borders, signed in Schengen on 19 June 1990, and its Final Act and related declaration:

P27: Schengen Protocol Page 1.pdf - 27:21 [The Protocol, signed in Luxemb..] (12:2155-12:2757) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Protocol, signed in Luxembourg on 19 December 1996, on accession by the Government of the Republic of Finland to the Agreement on the gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985, and its related declaration.

14. The following provisions of the Agreement, signed in Luxembourg on 19 December 1996, on accession of the Republic of Finland to the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of controls at their common borders, signed in Schengen on 19 June 1990, and its Final Act and related declaration:

P27: Schengen Protocol Page 1.pdf - 27:22 [The Protocol, signed in Luxemb..] (13:5-13:261) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Protocol, signed in Luxembourg on 19 December 1996, on accession by the Government of the Kingdom of Sweden to the Agreement on the gradual abolition of controls at their common borders, signed in Schengen on 14 June 1985, and its related declaration.

P27: Schengen Protocol Page 1.pdf - 27:23 [The following provisions of th..] (13:268-13:603) (Super)

Codes: [How is the text situated in broader society?]

No memos

The following provisions of the Agreement, signed in Luxembourg on 19 December 1996, on accession of the Kingdom of Sweden to the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of controls at their common borders, signed in Schengen on 19 June 1990, and its Final Act and related declaration:

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:1 [Refugees lawfully resident in ..] (2:189-2:1019) (Super)

Codes: [How is the text situated in broader society?]

No memos

Refugees lawfully resident in the territory of a Contracting Party shall be exempt, under the terms of this Agreement and subject to reciprocity, from the obligation to obtain visas for

entering or leaving the territory of another Party by any frontier, provided that:
a they hold a valid travel document issued in accordance with the Convention on the Status of Refugees of 28th July 1951 or the Agreement relating to the issue of a travel document to refugees of 15th October 1946, by the authorities of the Contracting Party in whose territory they are lawfully resident;
b their visit is of not more than three months' duration.
2 A visa may be required for a stay of longer than three months or for the purpose of taking up gainful employment in the territory of another Contracting Party.

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:2 [For the purposes of the presen..] (2:1033-2:1246) (Super)

Codes: [How is the text situated in broader society?]

No memos

For the purposes of the present Agreement the "territory" of a Contracting Party shall have the meaning assigned to it by this Party in a declaration addressed to the Secretary General of the Council of Europe.

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:3 [To the extent that one or more..] (2:1260-2:1398) (Super)

Codes: [How is the text situated in broader society?]

No memos

To the extent that one or more Contracting Parties deem necessary, the frontier shall be crossed only at authorised points.

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:4 [The provisions of this Agreeme..] (2:1414-2:1721) (Super)

Codes: [How is the text situated in broader society?]

No memos

The provisions of this Agreement shall be without prejudice to the laws or regulations governing visits by aliens to the territory of any Contracting Party.
2 Each Contracting Party reserves the right to prohibit persons it deems to be undesirable from entering or staying in its territory.

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:5 [Refugees who have entered the ..] (2:1735-2:2120) (Super)

Codes: [How is the text situated in broader society?]
No memos

Refugees who have entered the territory of a Contracting Party by virtue of the present Agreement shall be re-admitted at any time to the territory of the Contracting Party by whose authorities the travel document was issued, at the simple request of the first-mentioned Party, except where this Party has authorised the persons concerned to settle on its territory.

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:6 [This Agreement shall not preju..] (4:12-4:374) (Super)

Codes: [How is the text situated in broader society?]
No memos

This Agreement shall not prejudice the provisions of any municipal law or bilateral or multilateral treaties, conventions or agreements now in force or which may hereafter enter into force, whereby more favourable terms are applied to refugees lawfully residing in the territory of a Contracting Party in respect of the crossing of frontiers.

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:7 [Each Contracting Party reserve..] (4:390-4:1118) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]
No memos

Each Contracting Party reserves the option, for reasons of ordre public, security or public health, to delay the entry into force of this Agreement, or order the temporary suspension thereof in respect of all or some of the other Parties, except in so far as the provisions of Article 5 are concerned. The Secretary General of the Council of Europe shall immediately be informed when any such measure is taken and again when it ceases to be operative.
2 A Contracting Party which avails itself of either of the options provided for in the foregoing paragraph may not claim the application of this Agreement by any other Party save in so far as it also applies it in respect of that Party.

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:8 [This Agreement shall be open t..] (4:1132-4:1516) (Super)

Codes: [How is the text situated in broader society?]
No memos

This Agreement shall be open to the signature of members of the Council of Europe, who may

become Parties thereto either by:

a signature without reservation in respect of ratification, or

b signature with reservation in respect of ratification, followed by ratification.

Instruments of ratification shall be deposited with the Secretary General of the Council of Europe.

P29: Visa Information System.pdf - 29:1 [he EU has been developing larg..] (1:134-1:198) (Super)

Codes: [How is the text situated in broader society?]

No memos

he EU has

been developing large-scale IT systems for collecting

P29: Visa Information System.pdf - 29:2 [The Visa Information System (V..] (1:411-1:489) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Visa Information System (VIS) allows Schengen States to exchange visa data.

P29: Visa Information System.pdf - 29:3 [The Visa Information System, w..] (1:278-1:370) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Visa Information System, which supports the implementation
of the common EU visa policy

P29: Visa Information System.pdf - 29:4 [VIS connects consulates in non..] (1:620-1:723) (Super)

Codes: [How is the text situated in broader society?]

No memos

VIS connects consulates in non-EU countries and all external border crossing points of
Schengen States

P29: Visa Information System.pdf - 29:5 [Protecting travellers:] (1:1786-1:1807) (Super)

Codes: [How is the text situated in broader society?]

No memos

Protecting travellers:

P29: Visa Information System.pdf - 29:6 [Helping with asylum applicatio..] (1:1954-1:1986) (Super)

Codes: [How is the text situated in broader society?]

No memos

Helping with asylum applications:

P29: Visa Information System.pdf - 29:7 [fingerprints and a digital pho..] (1:2292-1:2500) (Super)

Codes: [How is the text situated in broader society?]

No memos

fingerprints and a digital photograph are collected from persons applying for a visa. These biometric data, along with data provided in the visa application form, are recorded in a secure central database.

P29: Visa Information System.pdf - 29:8 [digit finger scans are not req..] (1:2506-1:2863) (Super)

Codes: [How is the text situated in broader society?]

No memos

digit finger scans are not required from children under the age of 12 or from people who physically cannot provide finger scans. Frequent travellers to the Schengen Area do not have to give new finger scans every time they apply for a new visa. Once finger scans are stored in VIS, they can be re-used for further visa applications over a 5-year period

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:1 [establishing the criteria and ..] (1:102-1:285) (Super)

Codes: [How is the text situated in broader society?]

No memos

establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:2 [THE COUNCIL OF THE EUROPEAN UN..] (1:288-1:660) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 63, first paragraph, point (1)(a),

Having regard to the proposal from the Commission (

1

),

Having regard to the opinion of the European Parliament (

2

),

Having regard to the opinion of the European Economic and

Social Committee (

3

),

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:3 [A common policy on asylum, inc..] (1:677-1:966) (Super)

Codes: [How is the text situated in broader society?]

No memos

A common policy on asylum, including a Common European Asylum System, is a constituent part of the European Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the Community.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:4 [The European Council, at its s..] (1:973-1:1644) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council, at its special meeting in Tampere

on 15 and 16 October 1999, agreed to work towards establishing a Common European Asylum System, based on the full and inclusive application of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as supplemented by the New York Protocol of 31 January 1967, thus ensuring that nobody is sent back to persecution, i.e. maintaining the principle of non-refoulement. In this respect, and without affecting the responsibility criteria laid down in this Regulation, Member States, all respecting the principle of non-refoulement, are considered as safe countries for third-country nationals.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:5 [The Tampere conclusions also s..] (1:1651-1:1859) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Tampere conclusions also stated that this system should include, in the short term, a clear and workable method for determining the Member State responsible for the examination of an asylum application.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:6 [Such a method should be based ..] (1:1866-1:2246) (Super)

Codes: [How is the text situated in broader society?]

No memos

Such a method should be based on objective, fair criteria both for the Member States and for the persons concerned. It should, in particular, make it possible to determine rapidly the Member State responsible, so as to guarantee effective access to the procedures for determining refugee status and not to compromise the objective of the rapid processing of asylum applications.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:7 [Family unity should be preserv..] (1:2949-1:3171) (Super)

Codes: [How is the text situated in broader society?]

No memos

Family unity should be preserved in so far as this is

compatible with the other objectives pursued by establishing criteria and mechanisms for determining the Member State responsible for examining an asylum application.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:8 [The processing together of the..] (1:3178-1:3601) (Super)

Codes: [How is the text situated in broader society?]

No memos

The processing together of the asylum applications of the members of one family by a single Member State makes it possible to ensure that the applications are examined thoroughly and the decisions taken in respect of them are consistent. Member States should be able to derogate from the responsibility criteria, so as to make it possible to bring family members together where this is necessary on humanitarian grounds.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:9 [The progressive creation of an..] (1:3608-1:4071) (Super)

Codes: [How is the text situated in broader society?]

No memos

The progressive creation of an area without internal frontiers in which free movement of persons is guaranteed in accordance with the Treaty establishing the European Community and the establishment of Community policies regarding the conditions of entry and stay of third country nationals, including common efforts towards the management of external borders, makes it necessary to strike a balance between responsibility criteria in a spirit of solidarity.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:10 [The Regulation observes the fu..] (2:1603-2:1870) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Regulation observes the fundamental rights and principles which are acknowledged in particular in the

Charter of Fundamental Rights of the European Union (3). In particular, it seeks to ensure full observance of the right to asylum guaranteed by Article 18.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:11 [In accordance with Articles 1 ..] (2:2922-2:3217) (Super)

Codes: [How is the text situated in broader society?]
No memos

In accordance with Articles 1 and 2 of the Protocol on the position of 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 Regulation and is not bound by it nor subject to its application.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:12 [The Dublin Convention remains ..] (2:3225-2:3460) (Super)

Codes: [How is the text situated in broader society?]
No memos

The Dublin Convention remains in force and continues to apply between Denmark and the Member States that are bound by this Regulation until such time an agreement allowing Denmark's participation in the Regulation has been concluded,

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:13 [Member States shall examine th..] (3:3814-3:4116) (Super)

Codes: [How is the text situated in broader society?]
No memos

Member States shall examine the application of any thirdcountry national who applies at the border or in their territory to any one of them for asylum. The application shall be examined by a single Member State, which shall be the one which the criteria set out in Chapter III indicate is responsible.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:14 [Any Member State shall retain ..] (3:4812-3:4988) (Super)

Codes: [How is the text situated in broader society?]

No memos

Any Member State shall retain the right, pursuant to its national laws, to send an asylumseeker to a third country, in compliance with the provisions of the Geneva Convention.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:15 [The Member State responsible i..] (4:2512-4:2706) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Member State responsible in accordance with the criteria shall be determined on the basis of the situation obtaining when the asylumseeker first lodged his application with a Member State.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:16 [Where the applicant for asylum..] (4:2720-4:3137) (Super)

Codes: [How is the text situated in broader society?]

No memos

Where the applicant for asylum is an unaccompanied minor, the Member State responsible for examining the application shall be that where a member of his or her family is legally present, provided that this is in the best interest of the minor. In the absence of a family member, the Member State responsible for examining the application shall be that where the minor has lodged his or her application for asylum.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:17 [Where the asylum seeker has a ..] (4:3151-4:3470) (Super)

Codes: [How is the text situated in broader society?]

No memos

Where the asylum seeker has a family member, regardless of whether the family was previously formed in the country of origin, who has been allowed to reside as a refugee in a

Member State, that Member State shall be responsible for examining the application for asylum, provided that the persons concerned so desire.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:18 [If the asylum seeker has a fam..] (4:3484-4:3764) (Super)

Codes: [How is the text situated in broader society?]

No memos

If the asylum seeker has a family member in a Member State whose application has not yet been the subject of a first decision regarding the substance, that Member State shall be responsible for examining the application for asylum, provided that the persons concerned so desire.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:19 [Where the asylumseeker is in p..] (4:3781-4:4571) (Super)

Codes: [How is the text situated in broader society?]

No memos

Where the asylumseeker is in possession of a valid residence document, the Member State which issued the document shall be responsible for examining the application for asylum.

2. Where the asylumseeker is in possession of a valid visa, the Member State which issued the visa shall be responsible for examining the application for asylum, unless the visa was issued when acting for or on the written authorisation of another Member State. In such a case, the latter Member State shall be responsible for examining the application for asylum. Where a Member State first consults the central authority of another Member State, in particular for security reasons, the latter's reply to the consultation shall not constitute written authorisation within the meaning of this provision.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:20 [Where it is established, on th..] (5:1260-5:1806) (Super)

Codes: [How is the text situated in broader society?]

No memos

Where it is established, on the basis of proof or circumstantial evidence as described in the two lists mentioned in Article 18(3), including the data referred to in Chapter III of

Regulation (EC) No 2725/2000, that an asylumseeker has irregularly crossed the border into a Member State by land, sea or air having come from a third country, the Member State thus entered shall be responsible for examining the application for asylum. This responsibility shall cease 12 months after the date on which the irregular border crossing took place.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:21 [When a Member State cannot or ..] (5:1812-5:2629) (Super)

Codes: [How is the text situated in broader society?]

No memos

When a Member State cannot or can no longer be held responsible in accordance with paragraph 1, and where it is established, on the basis of proof or circumstantial evidence as described in the two lists mentioned in Article 18(3), that the asylumseeker — who has entered the territories of the Member States irregularly or whose circumstances of entry cannot be established — at the time of lodging the application has been previously living for a continuous period of at least five months in a Member State, that Member State shall be responsible for examining the application for asylum.

If the applicant has been living for periods of time of at least five months in several Member States, the Member State where this has been most recently the case shall be responsible for examining the application.

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:1 [listing the third countries wh..] (1:92-1:261) (Super)

Codes: [How is the text situated in broader society?]

No memos

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:2 [THE COUNCIL OF THE EUROPEAN UN..] (1:264-1:536) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,

Having regard to the proposal from the Commission (

1

),

Having regard to the opinion of the European Parliament (

2

),

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:3 [Following the European Council..] (1:553-1:1219) (Super)

Codes: [How is the text situated in broader society?]

No memos

Following the European Council held in Seville on 21
and 22 June 2002, which considered as a top priority
the review of Regulation (EC) No 539/2001 by the end
of 2002 (

3

), the Commission has evaluated the Member

States' replies to the questionnaire it sent them in the

light of the relevant criteria for the review of Regulation

(EC) No 539/2001, namely illegal immigration, public

policy and security, the European Union's external relations with third countries, regional coherence and reciprocity. It has found that Ecuador should be transferred

from Annex II to Annex I to Regulation (EC) No 539/

2001 in the light of the illegal immigration criterion.

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:4 [of certain States or entities] (1:1309-1:1337) (Super)

Codes: [How is the text situated in broader society?]

No memos

of certain States or entities

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:5 [Agreement between the European..] (1:1551-1:1897) (Super)

Codes: [How is the text situated in broader society?]
No memos

Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, on the free movement of persons provides for free movement without visas for nationals of Switzerland and of the Member States, Switzerland should no longer be mentioned in Annex II to Regulation (EC) No 539/2001.

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:6 [It is clear from the Member Sta..] (1:1904-1:2084) (Super)

Codes: [How is the text situated in broader society?]
No memos

It is clear from the Member States' replies to the questionnaire that an in-depth review of the reciprocity rule is called for, on which the Commission will report at a later date.

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:7 [The visa requirement for Ecuador..] (1:2091-1:2271) (Super)

Codes: [How is the text situated in broader society?]
No memos

The visa requirement for Ecuador should be applied uniformly by the Member States. A date should accordingly be set from which all Member States have to apply the visa requirement,

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:8 [As regards Iceland and Norway,..] (1:2278-1:2847) (Super)

Codes: [How is the text situated in broader society?]
No memos

As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation,

application and development of the Schengen acquis (

4

),

which fall within the area referred to in Article 1, point

A, of Council Decision 1999/437/EC of 17 May 1999

on certain arrangements for the application of that

Agreement (

5

).

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:9 [The United Kingdom and Ireland ..] (1:2854-1:2994) (Super)

Codes: [How is the text situated in broader society?]

No memos

The United Kingdom and Ireland are not taking part in
the adoption of this Regulation and are not bound by it
or subject to its application.

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:10 [Schengen acquis] (1:3053-1:3067) (Super)

Codes: [How is the text situated in broader society?]

No memos

Schengen acquis

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:11 ['East Timor' shall be moved fr..] (1:3277-1:3478) (Super)

Codes: [How is the text situated in broader society?]

No memos

'East Timor' shall be moved from Part 2 (Entities and
territorial authorities that are not recognised as States by
at least one Member State) to Part 1 (States), where it
shall appear before 'Egypt';

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:12 ['Ecuador' shall be inserted in..] (1:3485-1:3579) (Super)

Codes: [How is the text situated in broader society?]
No memos

'Ecuador' shall be inserted in Part 1, where it shall appear between 'East Timor' and 'Egypt';

P31: Ammendment 1 Council Regulation No 453-2003.pdf - 31:13 ['Ecuador' and 'Switzerland' sh..] (1:3585-1:3653) (Super)

Codes: [How is the text situated in broader society?]
No memos

'Ecuador' and 'Switzerland' shall be deleted from Part 1 of Annex II.

P32: Seville European Council.pdf - 32:1 [SEVILLE EUROPEAN COUNCIL] (1:173-1:196) (Super)

Codes: [How is the text situated in broader society?]
No memos

SEVILLE EUROPEAN COUNCIL

P32: Seville European Council.pdf - 32:2 [The European Council met in Se..] (2:77-2:238) (Super)

Codes: [How is the text situated in broader society?]
No memos

The European Council met in Seville on 21 and 22 June 2002. The meeting was preceded by an expos  given by the President of the European Parliament, Mr Pat Cox,

P32: Seville European Council.pdf - 32:3 [The European Council welcomed ..] (2:316-2:649) (Super)

Codes: [How is the text situated in broader society?]
No memos

The European Council welcomed the considerable momentum that had been given to the dialogue between the Parliament, the Council and the Commission in the new partnership referred to by the conclusions of the Barcelona European Council and welcomed the setting up of the High Level Technical Group for Interinstitutional Cooperation

P32: Seville European Council.pdf - 32:4 [The European Council supports ..] (2:1226-2:1302) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council supports the general approach followed by the Convention

P32: Seville European Council.pdf - 32:5 [The European Council embarked ..] (2:1568-2:1988) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council embarked upon a process of reform at Helsinki in December 1999, when it adopted a set of recommendations, and then in G^oteborg and Barcelona, where it took note of the reports by the Secretary-General/High Representative focusing on four main subjects: the European Council, the General Affairs Council, the Presidency of the Council, and the legislative activity of the Council and transparency.

P32: Seville European Council.pdf - 32:6 [In the light of a summary repo..] (3:77-3:669) (Super)

Codes: [How is the text situated in broader society?]

No memos

In the light of a summary report accompanied by detailed proposals submitted in Seville by the Presidency, the European Council held a detailed discussion on the subject and gave its agreement to a series of specific measures applicable, without amendment of the treaties, to the organisation and functioning of the European Council (see Annex I) and of the Council (see Annex II). This reform is a substantial change to present practices in the direction of enhancing the efficiency of the institution on the eve of an unprecedented increase in the number of Member States of the Union

P32: Seville European Council.pdf - 32:7 [The European Council therefore..] (3:1062-3:1253) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council therefore asked the future Danish Presidency to take

appropriate steps to continue discussions with a view to an initial report to the European Council in December 2002.

P32: Seville European Council.pdf - 32:8 [In particular, the Council is ..] (3:1495-3:1864) (Super)

Codes: [How is the text situated in broader society?]

No memos

In particular, the Council is asked to study the question of the use of languages in the context of an enlarged Union and practical means of improving the present situation without endangering basic principles. In this context, a proposal should be submitted in due course and in any event there should be an initial report to the European Council in December 2002.

P32: Seville European Council.pdf - 32:9 [The Taoiseach announced that h..] (4:93-4:233) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Taoiseach announced that his Government intended to organise a referendum in autumn 2002, to enable Ireland to ratify the Treaty of Nice

P32: Seville European Council.pdf - 32:10 [The European Council welcomed ..] (4:894-4:1431) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council welcomed the communications from the Commission on better lawmaking and, in particular, the Action Plan for simplifying and improving the regulatory environment. It invites the three institutions concerned (Parliament, Council and Commission) to adopt an interinstitutional agreement before the end of 2002, on the basis of proceedings in the High-Level Technical Group, in order to improve the quality of Community legislation and the conditions, including timeframes, for its transposition into national law.

P32: Seville European Council.pdf - 32:11 [The European Council approved ..] (4:1444-4:1540) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council approved the Presidency report on the European Security and Defence Policy.

P32: Seville European Council.pdf - 32:12 [The European Council, being de..] (4:1547-4:1870) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council, being determined to reinforce the role of the European Union in combating terrorism and recognising the importance of the contribution of the CFSP, including the ESDP, to that end, adopted a Declaration (see Annex V) designed to take greater account of the capabilities required to combat terrorism.

P32: Seville European Council.pdf - 32:13 [The European Council asks the ..] (5:376-5:554) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council asks the Ministers for Defence, in the General Affairs and External Relations Council, to continue to guide the course of those discussions on capabilities.

P32: Seville European Council.pdf - 32:14 [The European Union reaffirmed ..] (5:561-5:837) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Union reaffirmed that it was in a position to take charge of crisis management operations, deciding in particular to conduct the police mission in Bosnia and Herzegovina (EUPM), which will ensure the follow-on to the current UN operation as from 1 January 2003.

P32: Seville European Council.pdf - 32:15 [The European Council stated th..] (5:844-5:1449) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council stated the European Union's willingness to take over from NATO in the Former Yugoslav Republic of Macedonia. It instructed the Secretary-General/High Representative and the competent European Union bodies to make the necessary contacts with the Former Yugoslav Republic of Macedonia authorities and NATO chiefs and to continue and intensify the planning measures under way in order to be in a position to take over the NATO operation at the end of NATO's current mandate, provided that the permanent arrangements between the European Union and NATO (Berlin +) are then in place.

P32: Seville European Council.pdf - 32:16 [In the civilian field, work ha..] (5:1772-5:1909) (Super)

Codes: [How is the text situated in broader society?]

No memos

In the civilian field, work has continued in the four priority areas (police, the rule of law, civil administration and civil protection)

P32: Seville European Council.pdf - 32:17 [The European Council reaffirms..] (7:78-7:421) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council reaffirms that, if the present rate of progress in negotiations and reforms is maintained, the European Union is determined to conclude the negotiations with Cyprus, Malta, Hungary, Poland, the Slovak Republic, Lithuania, Latvia, Estonia, the Czech Republic and Slovenia by the end of 2002, if those countries are ready.

P32: Seville European Council.pdf - 32:18 [Bulgaria and Romania have achi..] (7:1061-7:1300) (Super)

Codes: [How is the text situated in broader society?]

No memos

Bulgaria and Romania have achieved considerable progress over the last few months. The European Council encourages them to pursue their efforts and reiterates its commitment to giving them full support in their preparation for accession.

P32: Seville European Council.pdf - 32:19 [In respect of the accession of..] (7:1695-7:1889) (Super)

Codes: [How is the text situated in broader society?]
No memos

In respect of the accession of Cyprus, the Helsinki conclusions are the basis of the European Union's position. The European Union's preference is still for the accession of a reunited island.

P32: Seville European Council.pdf - 32:20 [The European Council welcomes ..] (8:78-8:272) (Super)

Codes: [How is the text situated in broader society?]
No memos

The European Council welcomes the reforms recently adopted in Turkey. It encourages and fully supports the efforts made by Turkey to fulfil the priorities defined in its Accession Partnership.

P32: Seville European Council.pdf - 32:21 [The European Council therefore..] (8:1433-8:1856) (Super)

Codes: [How is the text situated in broader society?]
No memos

The European Council therefore welcomes the results achieved over the last six months, in particular the comprehensive plan to combat illegal immigration, the plan for the management of external borders and the Directive laying down minimum standards for the reception of asylum seekers in Member States, and calls on forthcoming Presidencies to continue to give migration issues a special place in their work schedules.

P32: Seville European Council.pdf - 32:22 [Measures taken in the short an..] (8:1863-8:2268) (Super)

Codes: [How is the text situated in broader society?]
No memos

Measures taken in the short and medium term for the joint management of migration flows must strike a fair balance between, on the one hand, a policy for the integration of lawfully resident immigrants and an asylum policy complying with international conventions, principally the 1951 Geneva Convention, and, on the other, resolute action to combat illegal immigration and trafficking in human beings.

P32: Seville European Council.pdf - 32:23 [In the comprehensive plan to c..] (9:933-9:1147) (Super)

Codes: [How is the text situated in broader society?]

No memos

In the comprehensive plan to combat illegal immigration, the European Union has equipped itself with an effective means of bringing about the proper management of migration flows and combating illegal immigration.

P32: Seville European Council.pdf - 32:24 [The European Council welcomes ..] (10:798-10:1424) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council welcomes the various recent initiatives in this area and in particular the Commission communication entitled "Towards integrated management of the external borders of the Member States of the European Union", the feasibility study carried out under Italy's leadership concerning the establishment of a European border police force, taking account of the intention expressed by the Commission of continuing to examine the advisability and feasibility of such a police force, and the study concerning police and border security, carried out by three Member States under the OISIN cooperation programme.

P32: Seville European Council.pdf - 32:25 [The European Council applauds ..] (10:1431-10:1665) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Council applauds the recent approval of the plan for the management of the external borders of the Member States, based on those three initiatives, which should, inter alia, help bring greater control of migration flows.

P32: Seville European Council.pdf - 32:26 [In parallel with closer cooper..] (13:178-13:699) (Super)

Codes: [How is the text situated in broader society?]

No memos

In parallel with closer cooperation in combating illegal immigration, there is a need to press ahead with the examination of proposals under discussion. The European Council urges the

Council to adopt:

- by December 2002, the Dublin II Regulation;
- by June 2003, the minimum standards for qualification for refugee status and the content of refugee status and the provisions on family reunification and the status of long-term permanent residents;
- by the end of 2003, the common standards for asylum procedures.

P32: Seville European Council.pdf - 32:27 [EXTERNAL RELATIONS Kaliningrad..] (18:1281-18:1663) (Super)

Codes: [How is the text situated in broader society?]

No memos

EXTERNAL RELATIONS

Kaliningrad

55. The European Council invites the Commission to submit, in time for its Brussels meeting, an additional study on the possibilities for an effective and flexible solution to the question of the transit of persons and goods to and from the Kaliningrad oblast, in compliance with the acquis and in agreement with the candidate countries concerned.

P32: Seville European Council.pdf - 32:28 [Middle East 56. The European C..] (19:75-19:180) (Super)

Codes: [How is the text situated in broader society?]

No memos

Middle East

56. The European Council adopted the Declaration on the Middle East set out below (Annex VI).

P32: Seville European Council.pdf - 32:29 [India and Pakistan 57. The Eur..] (19:183-19:300) (Super)

Codes: [How is the text situated in broader society?]

No memos

India and Pakistan

57. The European Council adopted the Declaration on India and Pakistan set out below (Annex VII).

P32: Seville European Council.pdf - 32:30 [NATIONAL DECLARATION BY IRELAN..] (28:86-29:751) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]
No memos

NATIONAL DECLARATION BY IRELAND

1. Ireland reaffirms its attachment to the aims and principles of Charter of the United Nations, which confers primary responsibility for the maintenance of international peace and security upon the United Nations Security Council.
 2. Ireland recalls its commitment to the common foreign and security policy of the European Union as set out in the Treaty on European Union, adopted at Maastricht, amended at Amsterdam and approved on each occasion by the Irish people through referendum.
 3. Ireland confirms that its participation in the European Union's common foreign and security policy does not prejudice its traditional policy of military neutrality. The Treaty on European Union makes clear that the Union's security and defence policy shall not prejudice the specific character of the security and defence policy of certain Member States.
 4. In line with its traditional policy of military neutrality, Ireland is not bound by any mutual defence commitment. Nor is Ireland party to any plans to develop a European army. Indeed, the Nice European Council recognised that the development of the Union's capacity to conduct humanitarian and crisis management tasks does not involve the establishment of a European army.
 5. The Treaty on European Union specifies that any decision by the Union to move to a common defence would have to be taken by unanimous decision of the Member States and adopted in accordance with their respective constitutional requirements. The Government of Ireland have made a firm commitment to the people of Ireland, solemnized in this Declaration, that a referendum will be held in Ireland on the adoption of any such decision and on any future treaty which would involve Ireland departing from its traditional policy of military neutrality.
- Presidency Conclusions ñ Seville, 21 and 22 June 2002
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EN
6. Ireland reiterates that the participation of contingents of the Irish Defence Forces in overseas operations, including those carried out under the European security and defence policy, requires (a) the authorisation of the operation by the Security Council or the General Assembly of the United Nations, (b) the agreement of the Irish Government and (c) the approval of Dáil Éireann, in accordance with Irish law.
 7. The situation set out in this Declaration would be unaffected by the entry into force of the Treaty of Nice. In the event of Ireland's ratification of the Treaty of Nice, this Declaration will be associated with Ireland's instrument of ratification.

P32: Seville European Council.pdf - 32:31 [DECLARATION BY THE EUROPEAN CO..] (30:85-31:540) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

DECLARATION BY THE EUROPEAN COUNCIL

1. The European Council takes cognisance of the National Declaration by Ireland presented at its meeting in Seville on 21 and 22 June 2002. It notes that Ireland intends to associate its National Declaration with its act of ratification of the Treaty of Nice, should the people of Ireland decide in a referendum to accept the Treaty of Nice.
2. The European Council notes that the Treaty on European Union provides that any decision to move to a common defence shall be adopted in accordance with the respective constitutional requirements of the Member States.
3. The European Council recalls that under the terms of the Treaty on European Union the policy of the Union shall not prejudice the specific character of the security and defence policy of certain Member States. Ireland has drawn attention, in this regard, to its traditional policy of military neutrality.
4. The European Council acknowledges that the Treaty on European Union does not impose any binding mutual defence commitments. Nor does the development of the Union's capacity to conduct humanitarian and crisis management tasks involve the establishment of a European army.
5. The European Council confirms that the situation referred to in paragraphs 2, 3 and 4 would be unchanged by the entry into force of the Treaty of Nice. Presidency Conclusions ñ Seville, 21 and 22 June 2002
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6. The European Council recognises that, like all Member States of the Union, Ireland would retain the right, after the entry into force of the Treaty of Nice, to take its own sovereign decision, in accordance with its constitution and its laws, whether to commit military personnel to participate in any operation carried out under the European Security and Defence Policy. Ireland, in its National Declaration, has clearly set out its position in this regard.

P32: Seville European Council.pdf - 32:32 [DECLARATION BY THE EUROPEAN CO..] (32:84-35:1334) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

DECLARATION BY THE EUROPEAN COUNCIL

ON THE CONTRIBUTION OF THE CFSP, INCLUDING THE ESDP,
TO THE FIGHT AGAINST TERRORISM

1. The European Council reaffirms that terrorism is a real challenge for Europe and the world and poses a threat to our security and our stability. To this end, the extraordinary European Council meeting on 21 September 2001 decided to step up the action of the Union against terrorism through a coordinated and inter-disciplinary approach embracing all Union policies, including development of the Common Foreign and Security Policy (CFSP) and making the European Security and Defense Policy (ESDP) operational.

2. The European Council has noted the significant achievements accomplished in the implementation of the Plan of Action to combat terrorism and reiterates that the fight against terrorism will continue to be a priority objective of the European Union and a key plank of its external relations policy. Solidarity and international cooperation constitute essential instruments in the fight against that scourge. The Union will continue to maintain the closest possible coordination with the United States and other partners. The Union will seek to contribute further to those international efforts, both internally and in its relations with third countries and international organisations, such as the UN, NATO and the OSCE.

3. The Common Foreign and Security Policy, including the European Security and Defence Policy, can play an important role in countering this threat to our security and in promoting peace and stability. Closer cooperation among the Member States is being put into practice to take account of the international situation created by the terrorist attacks of 11 September.

Presidency Conclusions ñ Seville, 21 and 22 June 2002
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EN

4. The European Council welcomes the progress achieved since 11 September on incorporating the fight against terrorism into all aspects of the Union's external relations policy. The fight against terrorism requires a global approach to strengthen the international coalition and to prevent and contain regional conflicts. The Union is:

ñ strengthening EU instruments for long-term conflict prevention,

ñ focusing political dialogue with third countries on the fight against terrorism as well as on non-proliferation and arms control,

ñ providing assistance to third countries in order to reinforce their capacity to respond effectively to the international threat of terrorism,

ñ including anti-terrorism clauses in EU agreements with third countries,

ñ re-evaluating relations with third countries in the light of their attitudes towards terrorism and taking appropriate measures accordingly and

ñ implementing specific measures in the fight against terrorism in accordance with United Nations Security Council Resolution 1373, which laid down a wide range of

comprehensive steps and strategies to combat terrorism, including financial measures. Presidency Conclusions ñ Seville, 21 and 22 June 2002
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EN

5. The European Council also welcomes the progress achieved in the implementation of the ESDP, following the Declaration on the operational capability of the European Security and Defence Policy. This progress has allowed the Union to take its first decision to establish a crisis management operation – the European Union Police Mission in Bosnia and Herzegovina (EUPM). The EUPM is one example of the European Union's commitment to stabilising post-conflict regions and helping to establish the rule of law. By promoting stability, including the strengthening of local law-enforcement capabilities, norms and standards, the European Union helps to deny terrorist organisations the opportunity to take root. As indicated at the Laeken European Council, through the military and civilian capabilities developed by the European Union for crisis management, the CFSP will become stronger and will contribute more effectively to the fight against terrorism for the benefit of the populations concerned.

6. The ESDP will strengthen further as Member States enhance their military and civilian capabilities for crisis management. To this end, the European Council underlines again the importance it places on the timely achievement of the Headline Goal targets. In this context, development of the ESDP must take fuller account of the capabilities that may be required, in accordance with the Petersberg tasks and the provisions of the Treaty, to combat terrorism.

7. Priority action for the European Union, in the fields of the CFSP and the ESDP in particular, in the fight against terrorism should focus on:

- devoting greater efforts to conflict prevention;

- deepening political dialogue with third countries to promote the fight against terrorism, including the promotion of human rights and democracy as well as non-proliferation

- and arms control, and providing them with appropriate international assistance;

Presidency Conclusions – Seville, 21 and 22 June 2002
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EN

- strengthening arrangements for sharing intelligence and developing the production of situation assessments and early warning reports, drawing on the widest range of sources;

- developing our common evaluation of the terrorist threat against the Member States or the forces deployed under the ESDP outside the Union in crisis management operations, including the threat posed by terrorist use of weapons of mass destruction;

- determining military capabilities required to protect forces deployed in European Union-led crisis management operations against terrorist attacks;

- exploring further how military or civilian capabilities could be used to help protect civilian populations against the effects of terrorist attacks.

8. The European Council requests the Presidency and the Secretary-General/High

Representative, and the Commission as appropriate, to step up their efforts in these priority areas by promoting coordinating work within Council bodies and with relevant international organisations, notably the UN and NATO, in order to increase the effectiveness of the contribution of the CFSP, including the ESDP, to the fight against terrorism, as well as to report to the General Affairs and External Relations Council on this matter.

P32: Seville European Council.pdf - 32:33 [DECLARATION ON THE MIDDLE EAST..] (36:85-37:664) (Super)

Codes: [How is the text situated in broader society?]

No memos

DECLARATION ON THE MIDDLE EAST

The crisis in the Middle East has reached a dramatic turning point. Further escalation will render the situation uncontrollable. The parties on their own cannot find a solution. There is an urgent need for political action by the whole international community. The Quartet has a key role to play in starting a peace process.

The European Council supports the early convening of an international conference. That conference should address political and economic aspects as well as matters relating to security. It should confirm the parameters of the political solution and establish a realistic and well-defined timescale.

The European Council strongly condemns all terrorist attacks against Israeli civilians. The peace process and the stability of the region cannot be hostage to terrorism. The fight against terrorism must go on; but so at the same time must the negotiation of a political solution.

A settlement can be achieved through negotiation, and only through negotiation. The objective is an end to the occupation and the early establishment of a democratic, viable, peaceful and sovereign State of Palestine, on the basis of the 1967 borders, if necessary with minor adjustments agreed by the parties. The end result should be two States living side by side within secure and recognised borders enjoying normal relations with their neighbours. In this context, a fair solution should be found to the complex issue of Jerusalem, and a just, viable and agreed solution to the problem of the Palestinian refugees.

The reform of the Palestinian Authority is essential. The European Council expects the Palestinian Authority to make good its commitment to security reform, early elections and political and administrative reform. The European Union reaffirms its willingness to continue to assist in these reforms. Presidency Conclusions ñ Seville, 21 and 22 June 2002

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EN

Military operations in the Occupied Territories must cease. Restrictions on the freedom of

movement must be lifted. Walls will not bring peace.

The European Union stands ready to contribute fully to peace-building, as well as to the reconstruction of the Palestinian economy as an integral part of regional development.

The European Union will work with the parties and with its partners in the international community, especially with the United States in the framework of the Quartet, to pursue every opportunity for peace and for a decent future for all the people of the region.

P32: Seville European Council.pdf - 32:34 [DECLARATION ON INDIA AND PAKIS..] (38:86-39:518) (Super)

Codes: [How is the text situated in broader society?]

No memos

DECLARATION ON INDIA AND PAKISTAN

The European Council discussed the tensions between India and Pakistan. It welcomed the steps recently taken by Pakistan to begin clamping down on cross-border terrorism and the de-escalatory measures announced by India in response. The European Council noted that the situation nevertheless remains precarious and that the consequences of a war could be catastrophic for the region and beyond.

The European Council therefore called on Pakistan to take further concrete action in accordance with the assurances it has already given and with its international obligations, including UN Security Council Resolution 1373 (2001), to stop infiltration across the Line of Control and to prevent terrorist groups from operating from territory under its control, in particular by closing training camps. The European Council called on India and Pakistan to establish an effective monitoring system, in a form acceptable to both, so as to stop infiltration. The European Council underlined the shared interest of all countries in fighting terrorism.

The European Council encouraged India to be ready to respond with further de-escalatory steps as Pakistan shows that it is acting to fulfil its commitments. The European Council noted the importance of free, fair and inclusive elections this autumn in Jammu and Kashmir.

The European Council called on both parties to adhere to the NPT and to sign and ratify the CTBT. Presidency Conclusions ñ Seville, 21 and 22 June 2002
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EN

The European Council confirmed the EU's commitment to work with India and Pakistan and with others in the international community, seeking for possible confidence-building measures in order to defuse the immediate crisis, and to continue to encourage both countries to achieve a lasting settlement of the differences between them through bilateral dialogue. It is planned that the High Representative will pay an early visit to the region.

P33: Treaty on the Functioning of the European Union.pdf - 33:1 [The Union's action on the inte..] (93:985-93:1240) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Union's action on the international scene, pursuant to this Part, shall be guided by the principles, pursue the objectives and be conducted in accordance with the general provisions laid down in Chapter 1 of Title V of the Treaty on European Union.

P33: Treaty on the Functioning of the European Union.pdf - 33:2 [THE TREATY ON THE FUNCTIONING ..] (1:29-1:81) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE TREATY ON THE FUNCTIONING OF THE
EUROPEAN UNION

P33: Treaty on the Functioning of the European Union.pdf - 33:3 [HIS MAJESTY THE KING OF THE BE..] (3:11-3:280) (Super)

Codes: [How is the text situated in broader society?]

No memos

HIS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE
PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HER ROYAL HIGHNESS
THE GRAND DUCHESS OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS, (
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P33: Treaty on the Functioning of the European Union.pdf - 33:4 [closer union among the peoples..] (3:328-3:367) (Super)

Codes: [How is the text situated in broader society?]

No memos

closer union among the peoples of Europe

P33: Treaty on the Functioning of the European Union.pdf - 33:5 [RESOLVED to ensure the economi..] (3:371-3:503) (Super)

Codes: [How is the text situated in broader society?]

No memos

RESOLVED to ensure the economic and social progress of their States by common action to eliminate the barriers which divide Europe,

P33: Treaty on the Functioning of the European Union.pdf - 33:6 [ANXIOUS to strengthen the unit..] (3:803-3:1015) (Super)

Codes: [How is the text situated in broader society?]

No memos

ANXIOUS to strengthen the unity of their economies and to ensure their harmonious development by reducing the differences existing between the various regions and the backwardness of the less favoured regions,

P33: Treaty on the Functioning of the European Union.pdf - 33:7 [DESIRING to contribute, by mea..] (3:1018-3:1151) (Super)

Codes: [How is the text situated in broader society?]

No memos

DESIRING to contribute, by means of a common commercial policy, to the progressive abolition of restrictions on international trade,

P33: Treaty on the Functioning of the European Union.pdf - 33:8 [INTENDING to confirm the solid..] (3:1154-3:1370) (Super)

Codes: [How is the text situated in broader society?]

No memos

INTENDING to confirm the solidarity which binds Europe and the overseas countries and desiring to ensure the development of their prosperity, in accordance with the principles of the Charter of the United Nations,

P33: Treaty on the Functioning of the European Union.pdf - 33:9 [RESOLVED by thus pooling their..] (3:1373-3:1553) (Super)

Codes: [How is the text situated in broader society?]

No memos

RESOLVED by thus pooling their resources to preserve and strengthen peace and liberty, and calling upon the other peoples of Europe who share their ideal to join in their efforts,

P33: Treaty on the Functioning of the European Union.pdf - 33:10 [DETERMINED to promote the deve..] (3:1556-3:1727) (Super)

Codes: [How is the text situated in broader society?]

No memos

DETERMINED to promote the development of the highest possible level of knowledge for their peoples through a wide access to education and through its continuous updating,

P33: Treaty on the Functioning of the European Union.pdf - 33:11 [This Treaty organises the func..] (4:37-4:382) (Super)

Codes: [How is the text situated in broader society?]

No memos

This Treaty organises the functioning of the Union and determines the areas of, delimitation of, and arrangements for exercising its competences.

2. This Treaty and the Treaty on European Union constitute the Treaties on which the Union is founded. These two Treaties, which have the same legal value, shall be referred to as 'the Treaties'.

P33: Treaty on the Functioning of the European Union.pdf - 33:12 [It shall ensure the absence of..] (27:1366-27:1706) (Super)

Codes: [How is the text situated in broader society?]

No memos

It shall ensure the absence of internal border controls for persons and shall frame a common policy on asylum, immigration and external border control, based on solidarity between Member States, which is fair towards third-country nationals. For the purpose of this Title, stateless persons shall be treated as third-country nationals.

P33: Treaty on the Functioning of the European Union.pdf - 33:13 [ensuring the absence of any co..] (29:1619-29:1728) (Super)

Codes: [How is the text situated in broader society?]

No memos

ensuring the absence of any controls on persons, whatever their nationality, when crossing internal borders;

P33: Treaty on the Functioning of the European Union.pdf - 33:14 [a uniform status of subsidiary..] (30:2306-30:2462) (Super)

Codes: [How is the text situated in broader society?]

No memos

a uniform status of subsidiary protection for nationals of third countries who, without obtaining European asylum, are in need of international protection;

P33: Treaty on the Functioning of the European Union.pdf - 33:15 [ASSOCIATION OF THE OVERSEAS CO..] (91:12-91:64) (Super)

Codes: [How is the text situated in broader society?]

No memos

ASSOCIATION OF THE OVERSEAS COUNTRIES AND TERRITORIES

P33: Treaty on the Functioning of the European Union.pdf - 33:16 [The Member States agree to ass..] (91:102-91:399) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Member States agree to associate with the Union the non-European countries and territories which have special relations with Denmark, France, the Netherlands and the United Kingdom. These countries and territories (hereinafter called the 'countries and territories') are listed in Annex II.

P33: Treaty on the Functioning of the European Union.pdf - 33:17 [Subject to the provisions rela..] (92:1761-92:2081) (Super)

Codes: [How is the text situated in broader society?]

No memos

Subject to the provisions relating to public health, public security or public policy, freedom of movement within Member States for workers from the countries and territories, and within the countries and territories for workers from Member States, shall be regulated by acts adopted in accordance with Article 203.

P33: Treaty on the Functioning of the European Union.pdf - 33:18 [ON EXTERNAL RELATIONS OF THE M..] (258:19-258:824) (Super)

Codes: [How is the text situated in broader society?]

No memos

ON EXTERNAL RELATIONS OF THE MEMBER STATES
WITH REGARD TO THE CROSSING OF EXTERNAL
BORDERS

THE HIGH CONTRACTING PARTIES,

TAKING INTO ACCOUNT the need of the Member States to ensure effective controls at their external borders, in cooperation with third countries where appropriate,

HAVE AGREED UPON the following provisions, which shall be annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union:

The provisions on the measures on the crossing of external borders included in Article 77(2)(b) of the Treaty on the Functioning of the European Union shall be without prejudice to the competence of Member States to negotiate or conclude agreements with third countries as long as they respect Union law and other relevant international agreements.

P34: Treaty on European Union.pdf - 34:1 [HIS MAJESTY THE KING OF THE BE..] (3:11-3:539) (Super)

Codes: [How is the text situated in broader society?]

No memos

HIS MAJESTY THE KING OF THE BELGIANS, HER MAJESTY THE QUEEN OF DENMARK, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF IRELAND, THE PRESIDENT OF THE HELLENIC REPUBLIC, HIS MAJESTY THE KING OF SPAIN, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS, THE PRESIDENT OF THE PORTUGUESE REPUBLIC, HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (

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P34: Treaty on European Union.pdf - 34:2 [RESOLVED to mark a new stage i..] (3:542-3:674) (Super)

Codes: [How is the text situated in broader society?]

No memos

RESOLVED to mark a new stage in the process of European integration undertaken with the establishment of the European Communities,

P34: Treaty on European Union.pdf - 34:3 [DESIRING to deepen the solidar..] (3:1463-3:1587) (Super)

Codes: [How is the text situated in broader society?]

No memos

DESIRING to deepen the solidarity between their peoples while respecting their history, their culture and their traditions,

P34: Treaty on European Union.pdf - 34:4 [DETERMINED to promote economic..] (3:2074-3:2461) (Super)

Codes: [How is the text situated in broader society?]

No memos

DETERMINED to promote economic and social progress for their peoples, taking into account the principle of sustainable development and within the context of the accomplishment of the internal market and of reinforced cohesion and environmental protection, and to implement policies ensuring that advances in economic integration are accompanied by parallel progress in other fields

P34: Treaty on European Union.pdf - 34:5 [RESOLVED to establish a citize..] (4:1-4:75) (Super)

Codes: [How is the text situated in broader society?]

No memos

RESOLVED to establish a citizenship common to nationals of their countries,

P34: Treaty on European Union.pdf - 34:6 [RESOLVED to implement a common..] (4:78-4:429) (Super)

Codes: [How is the text situated in broader society?]

No memos

RESOLVED to implement a common foreign and security policy including the progressive framing of a common defence policy, which might lead to a common defence in accordance with the provisions of Article 42, thereby reinforcing the European identity and its independence in order to promote peace, security and progress in Europe and in the world,

P34: Treaty on European Union.pdf - 34:7 [RESOLVED to facilitate the fre..] (4:432-4:711) (Super)

Codes: [How is the text situated in broader society?]

No memos

RESOLVED to facilitate the free movement of persons, while ensuring the safety and security of their

peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of this Treaty and of the Treaty on the Functioning of the European Union,

P34: Treaty on European Union.pdf - 34:8 [RESOLVED to continue the proce..] (4:714-4:928) (Super)

Codes: [How is the text situated in broader society?]

No memos

RESOLVED to continue the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizen in accordance with the principle of subsidiarity,

P34: Treaty on European Union.pdf - 34:9 [By this Treaty, the HIGH CONTR..] (4:1323-4:1535) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

By this Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN UNION, hereinafter called 'the Union', on which the Member States confer competences to attain objectives they have in common.

P34: Treaty on European Union.pdf - 34:10 [This Treaty marks a new stage ..] (4:1538-4:1739) (Super)

Codes: [How is the text situated in broader society?]

No memos

This Treaty marks a new stage in the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as openly as possible and as closely as possible to the citizen.

P34: Treaty on European Union.pdf - 34:11 [The Union shall develop a spec..] (8:568-8:822) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation.

P34: Treaty on European Union.pdf - 34:12 [The Union's action on the inte..] (16:1474-16:1937) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.

P34: Treaty on European Union.pdf - 34:13 [The Union shall seek to develo..] (16:1940-16:2265) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Union shall seek to develop relations and build partnerships with third countries, and international, regional or global organisations which share the principles referred to in the first subparagraph. It shall promote multilateral solutions to common problems, in particular in the framework of the United Nations.

P35: Schengen Acquis.pdf - 35:1 [AGREEMENT BETWEEN THE GOVERNME..] (19:1-19:199) (Super)

Codes: [How is the text situated in broader society?]

No memos

AGREEMENT
BETWEEN THE GOVERNMENTS
OF THE STATES OF THE BENELUX ECONOMIC UNION,
THE FEDERAL REPUBLIC OF GERMANY
AND THE FRENCH REPUBLIC
ON THE GRADUAL ABOLITION OF CHECKS
AT THEIR COMMON BORDERS

P35: Schengen Acquis.pdf - 35:2 [The Governments of the Kingdom..] (20:1-20:206) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Governments of the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, hereinafter referred to as 'the Parties',

P35: Schengen Acquis.pdf - 35:3 [Aware that the ever closer uni..] (20:209-20:461) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?]

No memos

Aware that the ever closer union of the peoples of the Member States of the European Communities should find its expression in the freedom to cross internal borders for all nationals of the Member States and in the free movement of goods and services,

P35: Schengen Acquis.pdf - 35:4 [Anxious to strengthen the soli..] (20:464-20:695) (Super)

Codes: [How is the text situated in broader society?]

No memos

Anxious to strengthen the solidarity between their peoples by removing the obstacles to free movement at the common borders between the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic,

P35: Schengen Acquis.pdf - 35:5 [Considering the progress alrea..] (20:698-20:845) (Super)

Codes: [How is the text situated in broader society?]

No memos

Considering the progress already achieved within the European Communities with a view to ensuring the free movement of persons, goods and services,

P35: Schengen Acquis.pdf - 35:6 [For stays not exceeding three ..] (34:790-34:942) (Super)

Codes: [How is the text situated in broader society?]

No memos

For stays not exceeding three months,

aliens fulfilling the following conditions
may be granted entry into the territories
of the contracting parties:

P35: Schengen Acquis.pdf - 35:7 [The central authority of the St..] (193:1650-193:1963) (Super)

Codes: [How is the text situated in broader society?]

No memos

The central authority of the State that issued the visa shall be notified that the visa has been cancelled, and the following information shall be communicated:

- the date and grounds for cancellation,
- the name of the visa holder,
- nationality,
- travel document type and issue number,
- visa sticker number,

P35: Schengen Acquis.pdf - 35:8 [Furthermore, the common manual..] (204:463-204:1185) (Super)

Codes: [How is the text situated in broader society?]

No memos

Furthermore, the common manual (Part II, point 5) stipulates that if 'due to lack of time and for pressing reasons an alien has been unable to apply for a visa, in exceptional circumstances the authorities responsible may issue him with a short-stay visa at the border'. The issue of visas in such cases is subject to a series of conditions in the common manual:

- the alien must hold a valid document authorising him to cross the border;
- he must fulfil the conditions laid down in Article 5(1)(a), (c), (d) and (e) of the convention;
- he must submit supporting documents substantiating 'unforeseeable and imperative' reasons for entry;
- return to his country of origin or transit to a third State is assured.

P35: Schengen Acquis.pdf - 35:9 [The procedure for issuing visa..] (227:434-227:739) (Super)

Codes: [How is the text situated in broader society?]

No memos

The procedure for issuing visas at borders to seamen in transit shall comply with the common principles defined in the documents set out in annex (SCH/II-Visa (96)11 rev 4, SCH/I-Front (96) 58 rev 3, SCH/I-Front (96) 78 rev 2 and SCH/SG (96) 62 rev). These instructions shall apply from 1 February 1997.

P35: Schengen Acquis.pdf - 35:10 [The Schengen States shall init..] (233:1091-233:1416) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Schengen States shall initiate the measures necessary to abolish the visa requirement for nationals of Australia, Brunei, Costa Rica, Croatia, El Salvador, Guatemala, Honduras, Malaysia, Nicaragua, Panama, Paraguay, Singapore and Venezuela in good time for this abolition to take effect on 1 January 1999 at the latest.

P35: Schengen Acquis.pdf - 35:11 [The States Bosnia-Herzegovina,..] (233:1422-233:1663) (Super)

Codes: [How is the text situated in broader society?]

No memos

The States Bosnia-Herzegovina, Jamaica, Malawi and Kenya shall be added to Section I of Annex I to the common consular instructions (joint list of States whose nationals are subject to the visa requirement by all the Schengen States) (1).

P35: Schengen Acquis.pdf - 35:12 [The Schengen States shall ende..] (235:585-235:917) (Super)

Codes: [How is the text situated in broader society?]

No memos

The Schengen States shall endeavour to implement the joint action of 16 December 1996 concerning a uniform format for residence permits (Joint Action 97/11/JAI, published in OJ L 7, 10 January 1997, p. 1) as soon as possible, if necessary by phasing it in, before the end of the transitional periods stipulated in the joint action.

P35: Schengen Acquis.pdf - 35:13 [in compliance with the relevan..] (255:1391-255:1777) (Super)

Codes: [How is the text situated in broader society?]

No memos

in compliance with the relevant national law, the fingerprinting of every alien illegal immigrant whose identity cannot be established with certainty; retention of fingerprints for the purpose of informing the authorities in other Schengen States; the principles of data protection law applicable in the framework of Schengen cooperation and in the European Union are to be observed;

P36: Regulation 767-2008.pdf - 36:1 [REGULATION (EC) No 767/2008 OF..] (1:1-1:220) (Super)

Codes: [How is the text situated in broader society?]

No memos

REGULATION (EC) No 767/2008 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 9 July 2008
concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation)

P36: Regulation 767-2008.pdf - 36:2 [THE EUROPEAN PARLIAMENT AND TH..] (1:223-1:556) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,
Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(ii) and Article 66 thereof,
Having regard to the proposal from the Commission,
Acting in accordance with the procedure laid down in Article 251
of the Treaty (
1
) ,

P36: Regulation 767-2008.pdf - 36:3 [Council Decision 2004/512/EC o..] (1:1007-1:1192) (Super)

Codes: [How is the text situated in broader society?]

No memos

Council Decision 2004/512/EC of 8 June 2004 establishing the Visa Information System (VIS) (2) established the VIS as a system for the exchange of visa data between Member States.

P36: Regulation 767-2008.pdf - 36:4 [In accordance with Articles 1 ..] (3:1536-3:2187) (Super)

Codes: [How is the text situated in broader society?]

No memos

In accordance with Articles 1 and 2 of the Protocol on the position of Denmark, annexed to the Treaty on European Union and the Treaty establishing the European Community, Denmark does not take part in the adoption of this Regulation and is therefore not bound by it or subject to its application. Given that this Regulation builds upon the Schengen acquis under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark should, in accordance with Article 5 of that Protocol, decide within a period of six months after the adoption of this Regulation whether it will implement it in its national law.

P36: Regulation 767-2008.pdf - 36:5 [As regards Iceland and Norway,...] (3:2195-3:3316) (Super)

Codes: [How is the text situated in broader society?]

No memos

As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (2), which falls within

the area referred to in Article 1, point B of Council Decision
1999/437/EC (

3

) of 17 May 1999 on certain arrangements
for the application of that Agreement.

(28) An arrangement should be made to allow representatives of
Iceland and Norway to be associated with the work of
committees assisting the Commission in the exercise of its
implementing powers. Such an arrangement has been
contemplated in the Agreement in the form of Exchange of
Letters between the Council of the European Union and the
Republic of Iceland and the Kingdom of Norway concerning committees which assist the European Commission in
the exercise of its executive powers (

4

), annexed to the
Agreement referred to in Recital 27.

P36: Regulation 767-2008.pdf - 36:6 [As regards Switzerland, this R..] (3:4398-4:190) (Super)

Codes: [How is the text situated in broader society?]

No memos

As regards Switzerland, this Regulation constitutes a
development of the provisions of the Schengen acquis
within the meaning of the Agreement signed by the
European Union, the European Community and the Swiss
Confederation on the association of the Swiss Confederation with the implementation, application and development
L 218/62 EN Official Journal of the European Union 13.8.2008

(

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) OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/
512/EC (OJ L 200, 22.7.2006, p. 11).

(

2

) OJ L 176, 10.7.1999, p. 36.

(

3

) OJ L 176, 10.7.1999, p. 31.

(

4

) OJ L 176, 10.7.1999, p. 53.

(

5

) OJ L 131, 1.6.2000, p. 43.

(

6

) OJ L 395, 31.12.2004, p. 70.

(

7

) OJ L 64, 7.3.2002, p. 20. of the Schengen acquis which falls within the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 4(1) of Council Decision 2004/860/EC (

1

).

P36: Regulation 767-2008.pdf - 36:7 [The VIS shall have the purpose..] (4:1388-4:1674) (Super)

Codes: [How is the text situated in broader society?]

No memos

The VIS shall have the purpose of improving the implementation of the common visa policy, consular cooperation and consultation between central visa authorities by facilitating the exchange of data between Member States on applications and on the decisions relating thereto, in order:

P36: Regulation 767-2008.pdf - 36:8 [alphanumeric data on the appli..] (5:3590-5:3755) (Super)

Codes: [How is the text situated in broader society?]

No memos

alphanumeric data on the applicant and on visas requested, issued, refused, annulled, revoked or extended referred to in Articles 9(1) to (4) and Articles 10 to 14;

P36: Regulation 767-2008.pdf - 36:9 [photographs referred to in Art..] (6:5-6:44) (Super)

Codes: [How is the text situated in broader society?]

No memos

photographs referred to in Article 9(5);

P36: Regulation 767-2008.pdf - 36:10 [fingerprint data referred to i..] (6:51-6:95) (Super)

Codes: [How is the text situated in broader society?]

No memos

fingerprint data referred to in Article 9(6);

P36: Regulation 767-2008.pdf - 36:11 [If the applicant is travelling..] (6:3168-6:3384) (Super)

Codes: [How is the text situated in broader society?]

No memos

If the applicant is travelling in a group or with his spouse
and/or children, the visa authority shall create an application file
for each applicant and link the application files of the persons
travelling together

P36: Regulation 767-2008.pdf - 36:12 [the following data to be taken..] (7:192-7:1000) (Super)

Codes: [How is the text situated in broader society?]

No memos

the following data to be taken from the application form:

- (a) surname, surname at birth (former surname(s)); first name(s); sex; date, place and country of birth;
- (b) current nationality and nationality at birth;
- (c) type and number of the travel document, the authority which issued it and the date of issue and of expiry;
- (d) place and date of the application;
- (e) type of visa requested;

(f) details of the person issuing an invitation and/or liable to pay the applicant's subsistence costs during the stay, being:

(i) in the case of a natural person, the surname and first name and address of the person;

(ii) in the case of a company or other organisation, the name and address of the company/other organisation, surname and first name of the contact person in that company/organisation;

P36: Regulation 767-2008.pdf - 36:13 [a photograph of the applicant,...] (7:1364-7:1441) (Super)

Codes: [How is the text situated in broader society?]

No memos

a photograph of the applicant, in accordance with Regulation (EC) No 1683/95;

P36: Regulation 767-2008.pdf - 36:14 [the territory in which the vis..] (7:2081-7:2223) (Super)

Codes: [How is the text situated in broader society?]

No memos

the territory in which the visa holder is entitled to travel, in accordance with the relevant provisions of the Common Consular Instructions;

P36: Regulation 767-2008.pdf - 36:15 [the surname, first name and ad..] (9:1959-9:2105) (Super)

Codes: [How is the text situated in broader society?]

No memos

the surname, first name and address of the natural person or the name and address of the company/other organisation, referred to in Article 9(4)(f)

P36: Regulation 767-2008.pdf - 36:16 [fingerprints;] (9:2114-9:2126) (Super)

Codes: [How is the text situated in broader society?]

No memos

fingerprints;

P36: Regulation 767-2008.pdf - 36:17 [For the sole purpose of verify..] (10:2077-10:2632) (Super)

Codes: [How is the text situated in broader society?]

No memos

For the sole purpose of verifying the identity of the visa holder and/or the authenticity of the visa and/or whether the conditions for entry to the territory of the Member States in accordance with Article 5 of the Schengen Borders Code are fulfilled, the competent authorities for carrying out checks at external border crossing points in accordance with the Schengen Borders Code shall, subject to paragraphs 2 and 3, have access to search using the number of the visa sticker in combination with verification of fingerprints of the visa holder.

P36: Regulation 767-2008.pdf - 36:18 [Applicants and the persons ref..] (17:383-17:1366) (Super)

Codes: [How is the text situated in broader society?]

No memos

Applicants and the persons referred to in Article 9(4)(f) shall be informed of the following by the Member State responsible:

- (a) the identity of the controller referred to in Article 41(4), including his contact details;
- (b) the purposes for which the data will be processed within the VIS;
- (c) the categories of recipients of the data, including the authorities referred to in Article 3;
- (d) the data retention period;
- (e) that the collection of the data is mandatory for the examination of the application;
- (f) the existence of the right of access to data relating to them, and the right to request that inaccurate data relating to them be corrected or that unlawfully processed data

relating to them be deleted, including the right to receive information on the procedures for exercising those rights and the contact details of the National Supervisory Authorities referred to in Article 41(1), which shall hear claims concerning the protection of personal data.

P37: Regulation 810-2009.pdf - 37:1 [REGULATION (EC) No 810/2009 OF..] (1:100-1:229) (Super)

Codes: [How is the text situated in broader society?]

No memos

REGULATION (EC) No 810/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 13 July 2009
establishing a Community Code on Visas

P37: Regulation 810-2009.pdf - 37:2 [THE EUROPEAN PARLIAMENT AND TH..] (1:245-1:575) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,
Having regard to the Treaty establishing the European
Community, and in particular Article 62(2)(a) and (b)(ii) thereof,
Having regard to the proposal from the Commission,
Acting in accordance with the procedure laid down in
Article 251 of the Treaty (
1
) ,

P37: Regulation 810-2009.pdf - 37:3 [Pursuant to Article 62(2) of t..] (1:805-1:1078) (Super)

Codes: [How is the text situated in broader society?]

No memos

Pursuant to Article 62(2) of the Treaty, measures on the
crossing of the external borders of the Member States
shall establish rules on visas for intended stays of no

more than three months, including the procedures and conditions for issuing visas by Member States.

P37: Regulation 810-2009.pdf - 37:4 [Member States should be presen..] (1:1817-1:2242) (Super)

Codes: [How is the text situated in broader society?]

No memos

Member States should be present or represented for visa purposes in all third countries whose nationals are subject to visa requirements. Member States lacking their own consulate in a given third country or in a certain part of a given third country should endeavour to conclude representation arrangements in order to avoid a disproportionate effort on the part of visa applicants to have access to consulates.

P37: Regulation 810-2009.pdf - 37:5 [It is necessary to set out rul..] (1:2249-1:2776) (Super)

Codes: [How is the text situated in broader society?]

No memos

It is necessary to set out rules on the transit through international areas of airports in order to combat illegal immigration. Thus nationals from a common list of third countries should be required to hold airport transit visas. Nevertheless, in urgent cases of mass influx of illegal immigrants, Member States should be allowed to impose such a requirement on nationals of third countries other than those listed in the common list. Member States' individual decisions should be reviewed on an annual basis.

P37: Regulation 810-2009.pdf - 37:6 [Where a Member State has decid..] (2:3141-2:3358) (Super)

Codes: [How is the text situated in broader society?]

No memos

Where a Member State has decided to cooperate with an external service provider, it should maintain the possibility for all applicants to lodge applications directly at its diplomatic missions or consular posts.

P37: Regulation 810-2009.pdf - 37:7 [A Member State should cooperat..] (2:3366-2:3728) (Super)

Codes: [How is the text situated in broader society?]

No memos

A Member State should cooperate with an external service provider on the basis of a legal instrument which should contain provisions on its exact responsibilities, on direct and total access to its premises, information for applicants, confidentiality and on the circumstances, conditions and procedures for suspending or terminating the cooperation.

P37: Regulation 810-2009.pdf - 37:8 [Local Schengen cooperation is ..] (2:4178-2:4709) (Super)

Codes: [How is the text situated in broader society?]

No memos

Local Schengen cooperation is crucial for the harmonised application of the common visa policy and for proper assessment of migratory and/or security risks. Given the differences in local circumstances, the operational application of particular legislative provisions should be assessed among Member States' diplomatic missions and consular posts in individual locations in order to ensure a harmonised application of the legislative provisions to prevent visa shopping and different treatment of visa applicants.

P37: Regulation 810-2009.pdf - 37:9 [As regards Iceland and Norway,..] (3:3862-3:4428) (Super)

Codes: [How is the text situated in broader society?]

No memos

As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Agreement concluded between the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

3

) which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC (

4

) on certain arrangements for the application of that Agreement.

P37: Regulation 810-2009.pdf - 37:10 [As regards Switzerland, this R..] (4:6-4:569) (Super)

Codes: [How is the text situated in broader society?]

No memos

As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (

1

), which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC (

2

) on the conclusion of that Agreement.

P37: Regulation 810-2009.pdf - 37:11 [As regards Liechtenstein, this..] (4:577-4:1333) (Super)

Codes: [How is the text situated in broader society?]

No memos

As regards Liechtenstein, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Protocol signed between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement concluded between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/261/EC (3) on the signing of that Protocol.

P37: Regulation 810-2009.pdf - 37:12 [This Regulation constitutes a ..] (4:1341-4:1821) (Super)

Codes: [How is the text situated in broader society?]

No memos

This Regulation constitutes a development of the provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis (4). The United Kingdom is therefore not taking part in its adoption and is not

bound by it or subject to its application.

P37: Regulation 810-2009.pdf - 37:13 [This Regulation constitutes a ..] (4:1829-4:2254) (Super)

Codes: [How is the text situated in broader society?]

No memos

This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (

5

). Ireland is therefore not taking part in the adoption of the Regulation and is not bound by it or subject to its application.

P37: Regulation 810-2009.pdf - 37:14 [ationals of the third countrie..] (5:1793-5:2011) (Super)

Codes: [How is the text situated in broader society?]

No memos

ationals of the third countries listed in Annex IV shall be required to hold an airport transit visa when passing through the international transit areas of airports situated on the territory of the Member States.

P37: Regulation 810-2009.pdf - 37:15 [The following categories of pe..] (5:2933-5:3930) (Super)

Codes: [How is the text situated in broader society?]

No memos

The following categories of persons shall be exempt from the requirement to hold an airport transit visa provided for in paragraphs 1 and 2:

(a) holders of a valid uniform visa, national long-stay visa or residence permit issued by a Member State;

(b) third-country nationals holding the valid residence permits listed in Annex V issued by Andorra, Canada, Japan, San Marino or the United States of America guaranteeing the holder's unconditional readmission;

(c) third-country nationals holding a valid visa for a Member State or for a State party to the Agreement on the European Economic Area of 2 May 1992, Canada, Japan or the United States of America, or when they return from those countries after having used the visa;

(d) family members of citizens of the Union as referred to in Article 1(2)(a);

(e) holders of diplomatic passports;

(f) flight crew members who are nationals of a contracting Party to the Chicago Convention on International Civil Aviation.

P37: Regulation 810-2009.pdf - 37:16 [Member States shall cooperate ..] (6:2396-6:2724) (Super)

Codes: [How is the text situated in broader society?]

No memos

Member States shall cooperate to prevent a situation in which an application cannot be examined and decided on because the Member State that is competent in accordance with paragraphs 1 to 3 is neither present nor represented in the third country where the applicant lodges the application in accordance with Article 6.

P37: Regulation 810-2009.pdf - 37:17 [Member States lacking their ow..] (7:1110-7:1288) (Super)

Codes: [How is the text situated in broader society?]

No memos

Member States lacking their own consulate in a third country shall endeavour to conclude representation arrangements with Member States that have consulates in that country.

P37: Regulation 810-2009.pdf - 37:18 [Member States shall collect bi..] (8:2528-8:2927) (Super)

Codes: [How is the text situated in broader society?]

No memos

Member States shall collect biometric identifiers of the applicant comprising a photograph of him and his 10 fingerprints in accordance with the safeguards laid down in the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms, in the Charter of Fundamental Rights of the European Union and in the United Nations Convention on the Rights of the Child.

P37: Regulation 810-2009.pdf - 37:19 [The visa fee shall be waived f..] (10:3551-11:307) (Super)

Codes: [How is the text situated in broader society?]

No memos

The visa fee shall be waived for applicants belonging to one of the following categories:

- (a) children under six years;
- (b) school pupils, students, postgraduate students and accompanying teachers who undertake stays for the purpose of study or educational training;
- (c) researchers from third countries travelling for the purpose of carrying out scientific research as defined in Recommendation No 2005/761/EC of the European Parliament and of the Council of 28 September 2005 to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the Community for the purpose of carrying out scientific research (1);
- (d) representatives of non-profit organisations aged 25 years or less participating in seminars, conferences, sports, cultural or educational events organised by non-profit organisations.

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) OJ L 289, 3.11.2005, p. 23.5. The visa fee may be waived for:

(a) children from the age of six years and below the age of 12 years;

(b) holders of diplomatic and service passports;

(c) participants aged 25 years or less in seminars, conferences, sports, cultural or educational events, organised by non-profit organisations.

P37: Regulation 810-2009.pdf - 37:20 [if the applicant: (i) presents..] (15:3330-16:464) (Super)

Codes: [How is the text situated in broader society?]

No memos

if the applicant:

(i) presents a travel document which is false, counterfeit or forged;

(ii) does not provide justification for the purpose and conditions of the intended stay;

(iii) does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;

(iv) has already stayed for three months during the current six-month period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity;

(v) is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;

15.9.2009 Official Journal of the European Union L 243/15 EN(vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where an alert has been issued in Member States'

national databases for the purpose of refusing entry
on the same grounds; or
(vii) does not provide proof of holding adequate and valid
travel medical insurance, where applicable;

P37: Regulation 810-2009.pdf - 37:21 [Recourse to honorary consuls 1..] (19:1812-19:2025) (Super)

Codes: [How is the text situated in broader society?]

No memos

Recourse to honorary consuls

1. Honorary consuls may also be authorised to perform
some or all of the tasks referred to in Article 43(6). Adequate
measures shall be taken to ensure security and data protection

P37: Regulation 810-2009.pdf - 37:22 [Common list of third countries..] (33:11-33:417) (Super)

Codes: [How is the text situated in broader society?]

No memos

Common list of third countries listed in Annex I to Regulation (EC) No 539/2001, whose nationals are required
to be in possession of an airport transit visa when passing through the international transit area of airports
situated on the territory of the Member States

AFGHANISTAN

BANGLADESH

DEMOCRATIC REPUBLIC OF THE CONGO

ERITREA

ETHIOPIA

GHANA

IRAN

IRAQ

NIGERIA

PAKISTAN

SOMALIA

SRI LANKA

P37: Regulation 810-2009.pdf - 37:23 [Rules for issuing visas at the..] (42:19-42:108) (Super)

Codes: [How is the text situated in broader society?]
No memos

Rules for issuing visas at the border to seafarers in transit subject to visa requirements

P38: Schengen Border Code.pdf - 38:1 [establishing a Community Code ..] (1:137-1:252) (Super)

Codes: [How is the text situated in broader society?]
No memos

establishing a Community Code on the rules governing the movement of persons across borders
(Schengen Borders Code)

P38: Schengen Border Code.pdf - 38:2 [THE EUROPEAN PARLIAMENT AND TH..] (1:255-1:577) (Super)

Codes: [How is the text situated in broader society?]
No memos

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty establishing the European Community, and in particular Articles 62(1) and (2)(a) thereof,
Having regard to the proposal from the Commission,
Acting in accordance with the procedure laid down in Article 251
of the Treaty (1),

P38: Schengen Border Code.pdf - 38:3 [The adoption of measures under ..] (1:594-1:1188) (Super)

Codes: [How is the text situated in broader society?]
No memos

The adoption of measures under Article 62(1) of the Treaty
with a view to ensuring the absence of any controls on persons crossing internal borders forms part of the Union's
objective of establishing an area without internal borders
in which the free movement of persons is ensured, as set
out in Article 14 of the Treaty.
(2) In accordance with Article 61 of the Treaty, the creation of
an area in which persons may move freely is to be flanked

by other measures. The common policy on the crossing of external borders, as provided for by Article 62(2) of the Treaty, is such a measure.

P38: Schengen Border Code.pdf - 38:4 [The adoption of common measure..] (1:1195-1:1732) (Super)

Codes: [How is the text situated in broader society?]

No memos

The adoption of common measures on the crossing of internal borders by persons and border control at external borders should reflect the Schengen acquis incorporated in the European Union framework, and in particular the relevant provisions of the Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders (2) and the Common Manual (3).

P38: Schengen Border Code.pdf - 38:5 ['Towards integrated management..] (1:2065-1:2473) (Super)

Codes: [How is the text situated in broader society?]

No memos

'Towards integrated management of the external borders of the Member States of the European Union'. This objective was included in the 'Plan for the management of the external borders of the Member States of the European Union', approved by the Council on 13 June 2002 and endorsed by the Seville European Council on 21 and 22 June 2002 and by the Thessaloniki European Council on 19 and 20 June 2003.

P38: Schengen Border Code.pdf - 38:6 [Member States should designate..] (2:1271-2:1542) (Super)

Codes: [How is the text situated in broader society?]
No memos

Member States should designate the national service or services responsible for border-control tasks in accordance with their national law. Where more than one service is responsible in the same Member State, there should be close and constant cooperation between them.

P38: Schengen Border Code.pdf - 38:7 [Operational cooperation and as..] (2:1550-2:1842) (Super)

Codes: [How is the text situated in broader society?]
No memos

Operational cooperation and assistance between Member States in relation to border control should be managed and coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States established by Regulation (EC) No 2007/2004 (1).

P38: Schengen Border Code.pdf - 38:8 [In accordance with Articles 1 ..] (3:6-3:664) (Super)

Codes: [How is the text situated in broader society?]
No memos

In accordance with Articles 1 and 2 of the Protocol on the Position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application. Given that this Regulation builds upon the Schengen acquis under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark should, in accordance with Article 5 of the said Protocol, decide within a period of six months after the date of adoption of this Regulation whether it will implement it in its national law or not.

P38: Schengen Border Code.pdf - 38:9 [As regards Iceland and Norway,...] (3:672-3:1210) (Super)

Codes: [How is the text situated in broader society?]
No memos

As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis (

1

) which fall within the area referred to in Article 1, point A, of Council Decision 1999/437/EC (

2

) on certain arrangements for the application of that Agreement.

P38: Schengen Border Code.pdf - 38:10 [This Regulation constitutes a ..] (3:2638-3:3104) (Super)

Codes: [How is the text situated in broader society?]

No memos

This Regulation constitutes a development of provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis (6

). The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.

P38: Schengen Border Code.pdf - 38:11 [This Regulation shall apply to..] (5:335-5:653) (Super)

Codes: [Does the text represent or advocate a message?] [How is the text situated in broader society?]

No memos

This Regulation shall apply to any person crossing the internal or external borders of Member States, without prejudice to:

(a) the rights of persons enjoying the Community right of free

movement;

(b) the rights of refugees and persons requesting international protection, in particular as regards non-refoulement.

P38: Schengen Border Code.pdf - 38:12 [For stays not exceeding three ..] (5:2336-5:2468) (Super)

Codes: [How is the text situated in broader society?]

No memos

For stays not exceeding three months per six-month period, the entry conditions for third-country nationals shall be the following:

P38: Schengen Border Code.pdf - 38:13 [All persons shall undergo a mi..] (6:3565-6:3719) (Super)

Codes: [How is the text situated in broader society?]

No memos

All persons shall undergo a minimum check in order to establish their identities on the basis of the production or presentation of their travel documents.

P38: Schengen Border Code.pdf - 38:14 [On entry and exit, third-count..] (7:4-7:83) (Super)

Codes: [How is the text situated in broader society?]

No memos

On entry and exit, third-country nationals shall be subject to thorough checks.

P38: Schengen Border Code.pdf - 38:15 [Third-country nationals subjec..] (7:3197-7:3339) (Super)

Codes: [How is the text situated in broader society?]

No memos

Third-country nationals subject to a thorough second line check shall be given information on the purpose of, and procedure for, such a check.

P38: Schengen Border Code.pdf - 38:16 [The travel documents of third-...] (8:2575-8:2732) (Super)

Codes: [How is the text situated in broader society?]

No memos

The travel documents of third-country nationals shall be systematically stamped on entry and exit. In particular an entry or exit stamp shall be affixed to:

P39: Handbook Organisation Visa Sections.pdf - 39:1 [THE EUROPEAN COMMISSION, Havin...] (3:372-3:678) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE EUROPEAN COMMISSION,
Having regard to the Treaty on the Functioning of the European Union,
Having regard to Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)
1
, and in
particular Article 51 thereof,

P39: Handbook Organisation Visa Sections.pdf - 39:2 [Member States should use the H..] (4:501-4:687) (Super)

Codes: [How is the text situated in broader society?]

No memos

Member States should use the Handbook for the purpose of informing staff affected to consular duties, in particular concerning the tasks and functioning of local Schengen cooperation.

P39: Handbook Organisation Visa Sections.pdf - 39:3 [PART II: LOCAL SCHENGEN COOPER...] (15:16-15:56) (Super)

Codes: [How is the text situated in broader society?]

No memos

PART II: LOCAL SCHENGEN COOPERATION (LSC)

P40: Handbook Processing Visa Application.pdf - 40:1 [1. Austria 2. Belgium 3. Czech..] (10:833-10:1206) (Super)

Codes: [How is the text situated in broader society?]

No memos

1. Austria
2. Belgium
3. Czech Republic
4. Denmark
5. Estonia
6. Finland
7. France
8. Germany
9. Greece
10. Hungary
11. Iceland
12. Italy
13. Latvia
14. Liechtenstein
15. Lithuania
16. Luxembourg
17. Malta
18. The Netherlands
19. Norway
20. Poland
21. Portugal
22. Slovakia
23. Slovenia
24. Spain
25. Sweden
26. Switzerland

P40: Handbook Processing Visa Application.pdf - 40:2 [1. Austria 2. Belgium 3. Bulga..] (10:97-10:494) (Super)

Codes: [How is the text situated in broader society?]

No memos

1. Austria
2. Belgium

3. Bulgaria
4. Czech Republic
5. Croatia
6. Cyprus
7. Denmark
8. Estonia
9. Finland
10. France
11. Germany
12. Greece
13. Hungary
14. Ireland
15. Italy
16. Latvia
17. Lithuania
18. Luxembourg
19. Malta
20. The Netherlands
21. Poland
22. Portugal
23. Romania
24. Slovakia
25. Slovenia
26. Spain
28. Sweden
28. United Kingdom

P41: List of Annexes Handbook Organisation Visa Sections.pdf - 41:1 [List of third countries whose ..] (1:25-1:193) (Super)

Codes: [How is the text situated in broader society?]

No memos

List of third countries whose nationals must be in possession of visas when crossing the external borders and of those whose nationals are exempt from that requirement

P42: Charter of Human Rights.pdf - 42:1 [CHARTER OF FUNDAMENTAL RIGHTS ..] (1:1-1:52) (Super)

Codes: [How is the text situated in broader society?]

No memos

CHARTER OF FUNDAMENTAL RIGHTS
OF THE EUROPEAN UNION

P42: Charter of Human Rights.pdf - 42:2 [The European Parliament, the C..] (5:658-5:806) (Super)

Codes: [How is the text situated in broader society?]

No memos

The European Parliament, the Council and the Commission solemnly proclaim the text below as the Charter of fundamental rights of the European Union.

P42: Charter of Human Rights.pdf - 42:3 [The peoples of Europe, in crea..] (8:11-8:142) (Super)

Codes: [How is the text situated in broader society?]

No memos

The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values.

P42: Charter of Human Rights.pdf - 42:4 [Everyone has the right to life..] (9:142-9:172) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to life.

P42: Charter of Human Rights.pdf - 42:5 [Everyone has the right to resp..] (9:292-9:370) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to respect for his or her physical and mental integrity.

P42: Charter of Human Rights.pdf - 42:6 [No one shall be subjected to t..] (9:907-9:994) (Super)

Codes: [How is the text situated in broader society?]

No memos

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

P42: Charter of Human Rights.pdf - 42:7 [Everyone has the right to libe..] (10:65-10:121) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to liberty and security of person.

P42: Charter of Human Rights.pdf - 42:8 [Everyone has the right to resp..] (10:172-10:269) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to respect for his or her private and family life, home and communications.

P42: Charter of Human Rights.pdf - 42:9 [Everyone has the right to the ..] (10:315-10:393) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to the protection of personal data concerning him or her

P42: Charter of Human Rights.pdf - 42:10 [Everyone has the right to free..] (10:1045-10:1335) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change religion or belief and freedom, either alone or in community with others and in public or in private, to manifest religion or belief, in worship, teaching, practice and observance.

P42: Charter of Human Rights.pdf - 42:11 [Everyone has the right to free..] (11:55-11:272) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

P42: Charter of Human Rights.pdf - 42:12 [The freedom and pluralism of t..] (11:278-11:335) (Super)

Codes: [How is the text situated in broader society?]

No memos

The freedom and pluralism of the media shall be respected.

P42: Charter of Human Rights.pdf - 42:13 [Everyone has the right to free..] (11:393-11:665) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to freedom of peaceful assembly and to freedom of association at all levels, in particular in political, trade union and civic matters, which implies the right of everyone to form and to join trade unions for the protection of his or her interests.

P42: Charter of Human Rights.pdf - 42:14 [Everyone has the right to educ..] (11:961-11:1053) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to education and to have access to vocational and continuing training.

P42: Charter of Human Rights.pdf - 42:15 [Everyone has the right to enga..] (11:1573-11:1666) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to engage in work and to pursue a freely chosen or accepted occupation.

P42: Charter of Human Rights.pdf - 42:16 [Everyone has the right to own,..] (12:376-12:788) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to own, use, dispose of and bequeath his or her lawfully acquired possessions. No one may be deprived of his or her possessions, except in the public interest and in the cases and under the conditions provided for by law, subject to fair compensation being paid in good time for their loss. The use of property may be regulated by law in so far as is necessary for the general interest.

P42: Charter of Human Rights.pdf - 42:17 [The right to asylum shall be g..] (12:866-12:1120) (Super)

Codes: [How is the text situated in broader society?]

No memos

The right to asylum shall be guaranteed with due respect for the rules of the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and in accordance with the Treaty establishing the European Community.

P42: Charter of Human Rights.pdf - 42:18 [Everyone is equal before the l..] (13:61-13:92) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone is equal before the law

P42: Charter of Human Rights.pdf - 42:19 [Children shall have the right ..] (13:1145-13:1396) (Super)

Codes: [How is the text situated in broader society?]

No memos

Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.

P42: Charter of Human Rights.pdf - 42:20 [Every child shall have the rig..] (14:4-14:189) (Super)

Codes: [How is the text situated in broader society?]

No memos

Every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests.

P42: Charter of Human Rights.pdf - 42:21 [Everyone has the right of acce..] (16:1870-16:2175) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right of access to preventive health care and the right to benefit from medical treatment under the conditions established by national laws and practices. A high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities.

P43: Convention on Human Rights.pdf - 43:1 [Everyone's right to life shall..] (5:264-5:497) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.

P43: Convention on Human Rights.pdf - 43:2 [No one shall be subjected to t..] (5:949-5:1038) (Super)

Codes: [How is the text situated in broader society?]

No memos

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

P43: Convention on Human Rights.pdf - 43:3 [1. No one shall be held in sla..] (5:1094-5:1212) (Super)

Codes: [How is the text situated in broader society?]

No memos

1. No one shall be held in slavery or servitude.
2. No one shall be required to perform forced or compulsory

labour.

P43: Convention on Human Rights.pdf - 43:4 [Everyone has the right to libe..] (5:1923-5:2105) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:

P43: Convention on Human Rights.pdf - 43:5 [1. Everyone has the right to r..] (7:675-7:778) (Super)

Codes: [How is the text situated in broader society?]

No memos

1. Everyone has the right to respect for his private and family life, his home and his correspondence.

P43: Convention on Human Rights.pdf - 43:6 [1. Everyone has the right to f..] (7:1262-7:1567) (Super)

Codes: [How is the text situated in broader society?]

No memos

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

P43: Convention on Human Rights.pdf - 43:7 [Everyone has the right to free..] (7:1924-7:2267) (Super)

Codes: [How is the text situated in broader society?]

No memos

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority

and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

P44: Charter on the United Nations.pdf - 44:1 [WE THE PEOPLES OF THE UNITED N..] (2:32-2:79) (Super)

Codes: [How is the text situated in broader society?]

No memos

WE THE PEOPLES OF THE UNITED NATIONS
DETERMINED

P44: Charter on the United Nations.pdf - 44:2 [The^Purposes of the United Nat..] (3:48-3:1152) (Super)

Codes: [How is the text situated in broader society?]

No memos

The^Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and
4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

P44: Charter on the United Nations.pdf - 44:3 [With a view to the creation of..] (12:2741-13:206) (Super)

Codes: [How is the text situated in broader society?]
No memos

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

- a. higher standards of living, full employment, and conditions of economic and social progress and development;
- b. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation;
- and
- c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

P45: 1951 Geneva Convention.pdf - 45:1 [The General Assembly of the Un..] (8:49-8:1459) (Super)

Codes: [How is the text situated in broader society?]
No memos

The General Assembly of the United Nations, by Resolution 429 (V) of 14 December 1950, decided to convene in Geneva a Conference of Plenipotentiaries to complete the drafting of, and to sign, a Convention relating to the Status of Refugees and a Protocol relating to the Status of Stateless Persons.

The Conference met at the European Office of the United Nations in Geneva from 2 to 25 July 1951.

The Governments of the following twenty-six States were represented by delegates who all submitted satisfactory credentials or other communications of appointment authorizing them to participate in the Conference:
final act

of the United Nations Conference of Plenipotentiaries
on the Status of Refugees and Stateless Persons

The Governments of the following two States were represented by observers:

Cuba

Iran

Pursuant to the request of the General Assembly, the United Nations High

Commissioner for Refugees participated, without the right to vote, in the deliberations of the Conference.

Australia

Austria

Belgium

Brazil

Canada

Colombia

Denmark

Egypt

France

Germany, Federal Republic of

Greece

Holy See

Iraq

Israel

Italy

Luxembourg

Monaco

Netherlands

Norway

Sweden

Switzerland (the Swiss delegation also represented Liechtenstein)

Turkey

United Kingdom of Great Britain
and Northern Ireland

United States of America

Venezuela

Yugoslavia

P45: 1951 Geneva Convention.pdf - 45:2 [The ConferenCe, considering th..] (12:262-12:997) (Super)

Codes: [How is the text situated in broader society?]

No memos

The ConferenCe,

considering that the issue and recognition of travel documents is necessary to facilitate the movement of refugees, and in particular their resettlement, urges Governments which are parties to the Inter-Governmental Agreement on Refugee Travel Documents signed in London on 15 October 1946, or which recognize travel documents issued in accordance with the Agreement, to continue to issue or to recognize such travel documents, and to extend the issue of such documents to refugees as defined in Article 1 of the Convention relating to the Status of Refugees or to recognize the travel documents so issued to such persons, until they shall have undertaken obligations under Article 28 of the said Convention.

P45: 1951 Geneva Convention.pdf - 45:3 [The ConferenCe, considering th..] (13:839-13:1254) (Super)

Codes: [How is the text situated in broader society?]

No memos

The ConferenCe,
considering that many persons still leave their country of origin for reasons of persecution and are entitled to special protection on account of their position,
recommends that Governments continue to receive refugees in their territories and that they act in concert in a true spirit of international cooperation in order that these refugees may find asylum and the possibility of resettlement.

P46: Agreement on the issue of travel documents for refugees, october 15, 1946.pdf - 46:1 [THE CONTRACTING GOVERNMENT] (2:957-2:983) (Super)

Codes: [How is the text situated in broader society?]

No memos

THE CONTRACTING GOVERNMENT

P47: BNCfiche BZ visa voor economische groei 2013.pdf - 47:1 [Nieuwe Commissievoorstellen en..] (1:123-1:319) (Super)

Codes: [How is the text situated in broader society?]

No memos

Nieuwe Commissievoorstellen en initiatieven
van de lidstaten van de Europese Unie
Nr. 1525 BRIEF VAN DE MINISTER VAN BUITENLANDSE ZAKEN
Aan de Voorzitter van de Tweede Kamer der Staten-Generaal

P47: BNCfiche BZ visa voor economische groei 2013.pdf - 47:2 [Fiche: Mededeling visumbeleid ..] (2:1-2:702) (Super)

Codes: [How is the text situated in broader society?]

No memos

Fiche: Mededeling visumbeleid als instrument voor economische groei in de EU

1. Algemene gegevens

Titel voorstel

Mededeling van de Europese Commissie aan de Raad en het Europees Parlement over de uitvoering en ontwikkeling van het gemeenschappelijk visumbeleid voor snellere groei in de EU.

Datum ontvangst Commissiedocument

7 november 2012

Nr. Commissiedocument

COM (2012) 649

Pre-lex

http://ec.europa.eu/prelex/detail_dossier_real.cfm?CL=nl&DosId=202092

Nr. impact assessment Commissie en Opinie Impact-assessment Board

Niet beschikbaar

Behandelingstraject Raad

Raad Justitie en Binnenlandse Zaken

Eerstverantwoordelijk ministerie

Ministerie van Buitenlandse Zaken

P47: BNCfiche BZ visa voor economische groei 2013.pdf - 47:3 [Wat is de Nederlandse grondhou..] (3:762-3:1093) (Super)

Codes: [How is the text situated in broader society?]

No memos

Wat is de Nederlandse grondhouding ten aanzien van de bevoegdheidsvaststelling, subsidiariteit en proportionaliteit van deze mededeling en de eventueel daarin aangekondigde concrete wet- en regelgeving? Hoe schat Nederland de financiële gevolgen in, alsmede de gevolgen op het gebied van regeldruk en administratieve lasten?

P48: COM_2014_164_EN_ACTE_f.pdf - 48:1 [This proposal takes into accou..] (2:293-2:440) (Super)

Codes: [How is the text situated in broader society?]

No memos

This proposal takes into account the increased political emphasis given to the economic impact of visa policy on the wider European Union economy,

P50: Toekomst visie EP visumbeleid.pdf - 50:1 [European Parliament resolution..] (2:60-2:1499) (Super)

Codes: [How is the text situated in broader society?]

No memos

European Parliament resolution on the future of EU visa policy
(2014/2586(RSP))

The European Parliament,

- having regard to the Treaty on the Functioning of the European Union (TFEU), in particular Article 77 thereof,
- having regard to the Commission communication entitled ‘Implementation and development of the common visa policy to spur growth in the EU’ (COM(2012)0649),
- having regard to the Commission report on the functioning of Local Schengen Cooperation during the first two years of implementation of the Visa Code (COM(2012)0648),
- having regard to the Commission’s Seventh report on certain third countries’ maintenance of visa requirements in breach of the principle of reciprocity (COM(2012)0681),
- having regard to the recent revisions

1

of Council Regulation (EC) No 539/2001 of
15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

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,

- having regard to the recent visa facilitation agreements with Georgia

3

, Ukraine

4

,

Moldova

5

, Cape Verde

6

, Armenia

7

and Azerbaijan

8

,

- having regard to the statement by the Commission of [.....],
- having regard to the question to the Commission on the future of EU visa policy (O-000028/2014 – B7-0108/2014),
- having regard to Rules 115(5) and 110(2) of its Rules of Procedure,

P51: Visumbrief tweede kamer okt 2011.pdf - 51:1 [Tweede Kamer der Staten-Genera..] (1:58-1:279) (Super)

Codes: [How is the text situated in broader society?]

No memos

Tweede Kamer der Staten-Generaal

2

Vergaderjaar 2011–2012

21 501-02 Raad Algemene Zaken en Raad Buitenlandse

Zaken

32 317 JBZ-Raad

Nr. 1096 BRIEF VAN DE MINISTERS VAN BUITENLANDSE ZAKEN EN VOOR
IMMIGRATIE EN ASIEL

P51: Visumbrief tweede kamer okt 2011.pdf - 51:2 [Met Oekraïne en Moldavië (in 2..] (2:1730-2:3773) (Super)

Codes: [How is the text situated in broader society?]

No memos

Met Oekraïne en Moldavië (in 2008) en Georgië (in 2011) zijn al visumfacilitatie- en bijbehorende terug- en overnameovereenkomsten gesloten. Met Oekraïne en Moldavië zijn in 2009 ook actieplannen voor visumliberalisatie op termijn overeengekomen. Deze landen dienen nu aan de strikte eisen hiervan te voldoen. Kalenderfixatie is niet aan de orde.

- Met de andere landen van het Oostelijk Partnerschap (Armenië,

Azerbeidjan, Wit-Rusland) zijn trajecten van visumfacilitatie ingezet. Dit houdt in dat specifieke afspraken zijn gemaakt over versoepelde afgifte van visa voor bepaalde bona fide (beroeps)groepen zoals wetenschappers, zakenmensen en mensenrechtenverdedigers. Actieplannen voor visumvrijverkeer met deze landen zijn nog niet aan de orde.

- Met Rusland is in 2007 een visumfacilitatie- en bijbehorende terug- en overnameovereenkomst gesloten. Met Rusland wordt nu onderhandeld over de voorwaarden voor visumliberalisatie op termijn. Het kabinet benadrukt in dit kader het belang van wederkerigheid: ook Rusland moet de visumplicht voor EU-onderdanen afschaffen. Dit is ook in het belang van het bedrijfsleven (Nederland een van de grootste investeerders in Rusland).
 - Op Kosovo na kunnen de landen van de Westelijke Balkan visumvrij reizen in de EU. Kosovo kan eveneens in aanmerking komen voor de start van een soortgelijk traject als het aan de strenge eisen voldoet.
 - Voor de landen van Noord-Afrika is het kabinet bereid om in het kader van de nieuwe mobiliteitspartnerschappen mogelijkheden te onderzoeken om visumfacilitatie overeenkomsten af te sluiten. Visumfacilitatie dient zich op specifieke doelgroepen te richten (wetenschappers, studenten, vertegenwoordigers van maatschappelijke organisaties, zakenlieden).
 - Ook voor Turkije is het kabinet bereid om in het geval van een eventueel toekomstig voorstel door de Commissie welwillend te kijken naar mogelijkheden voor visumfacilitatie voor specifieke doelgroepen.
- 1 Er ligt op dit moment echter geen voorstel op tafel.

Results for question:

“What messages does the text communicate in terms of institutional and social conventions?”

Report: 95 quotation(s) for 1 code

HU: Master Thesis Atlas
File: [\\CNAS.RU.NL\4043227\Documents\Master Thesis Atlas.hpr7](#)
Edited by: Super
Date/Time: 2015-08-25 13:59:25

Mode: quotation list names and references

Quotation-Filter: All

What messages does the text communicate in terms of institutional and social conventions?

P 1: Visa Application Form.pdf - 1:7 [Harmonised application form 1 ..] (1:23-1:83) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Harmonised application form

1

Application for Schengen Visa

P 1: Visa Application Form.pdf - 1:8 [FOR OFFICIAL USE ONLY] (1:148-1:168) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

FOR OFFICIAL USE ONLY

P 1: Visa Application Form.pdf - 1:9 [No logo is required for Norway..] (1:1765-1:1820) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

No logo is required for Norway, Iceland and Switzerland.

P 1: Visa Application Form.pdf - 1:10 [I am aware of and consent to t..] (4:322-4:3700) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

I am aware of and consent to the following: the collection of the data required by this application form and the taking of my photograph and, if applicable, the taking of fingerprints, are mandatory for the examination of the visa application; and any personal data concerning me which appear on the visa application form, as well as my fingerprints and my photograph will be supplied to the relevant authorities of the Member States and processed by those authorities, for the purposes of a decision on my visa application.

Such data as well as data concerning the decision taken on my application or a decision whether to annul, revoke or extend a visa issued will be entered into, and stored in the Visa Information System (VIS)

2

for a maximum period of five years, during which it will be accessible to the visa authorities and the authorities competent for carrying out checks on visas at external borders and within the Member States, immigration and asylum authorities in the Member States for the purposes of verifying whether the conditions for the legal entry into, stay and residence on the territory of the Member States are fulfilled, of identifying persons who do not or who no longer fulfil these conditions, of examining an asylum application and of determining responsibility for such examination. Under certain conditions the data will be also available to designated authorities of the Member States and to Europol for the purpose of the prevention, detection and investigation of terrorist offences and of other serious criminal offences. The authority of the Member State responsible for processing the data is: [...].

I am aware that I have the right to obtain in any of the Member States notification of the data relating to me recorded in the VIS and of the Member State which transmitted the data, and to request that data relating to me which are inaccurate be corrected and that data relating to me processed unlawfully be deleted. At my express request, the authority examining my application will inform me of the manner in which I may exercise my right to check the personal data concerning me and have them corrected or deleted, including the related remedies according to the national law of the State concerned. The national supervisory authority of that Member State [contact details] will hear claims concerning the protection of personal data.

I declare that to the best of my knowledge all particulars supplied by me are correct and complete. I am aware that any false statements will lead to my application being rejected or to the annulment of a visa already granted and may also render me liable to prosecution under the law of the Member State which deals with the application.

I undertake to leave the territory of the Member States before the expiry of the visa, if granted. I have been informed that possession of a visa is only one of the prerequisites for entry into the European territory of the Member States. The mere fact that a visa has been granted to me does not mean that I will be entitled to compensation if I fail to comply with the relevant provisions of Article 5(1) of Regulation (EC) No 562/2006 (Schengen Borders Code) and I am therefore refused entry. The prerequisites for entry will be checked again on entry

into the European territory of the Member States.

P 2: Regulation No539-2001.pdf - 2:20 [COUNCIL REGULATION (EC) No 539..] (1:125-1:349) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

COUNCIL REGULATION (EC) No 539/2001
of 15 March 2001

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

P 2: Regulation No539-2001.pdf - 2:21 [COUNCIL REGULATION (EC) No 539..] (2:1-2:512) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

COUNCIL REGULATION (EC) No 539/2001
of 15 March 2001

listing the third countries whose nationals must be in possession of
visas when crossing the external borders and those whose nationals
are exempt from that requirement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and
in particular Article 62, point (2)(b)(i) thereof,

Having regard to the proposal from the Commission (

1

),

Having regard to the opinion of the European Parliament (

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),

P 2: Regulation No539-2001.pdf - 2:22 [Under Article 62, point (2)(b)..] (2:529-2:2294) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Under Article 62, point (2)(b) of the Treaty, the Council is to

adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

(2) This Regulation follows on from the Schengen acquis in accordance with the Protocol integrating it into the framework of the European Union, hereinafter referred to as the 'Schengen Protocol'. It does not affect Member States' obligations deriving from the acquis as defined in Annex A to Decision 1999/435/EC of 20 May 1999 concerning the definition of the Schengen acquis for the purpose of determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the acquis (

3
).

(3) This Regulation constitutes the further development of those provisions in respect of which closer cooperation has been authorised under the Schengen Protocol and falls within the area referred to in Article 1, point B, of Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

4
).

P 2: Regulation No539-2001.pdf - 2:23 [A Member State may exempt from..] (7:134-7:978) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

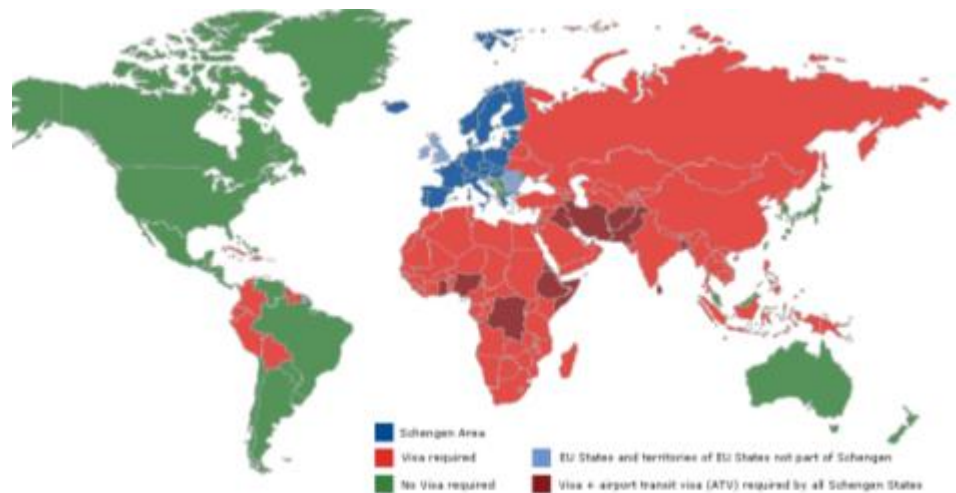
A Member State may exempt from the visa requirement:

- (a) a school pupil having the nationality of a third country listed in Annex I who resides in a third country listed in Annex II or in Switzerland and Liechtenstein and is travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question;
- (b) recognised refugees and stateless persons if the third country where they reside and which issued their travel document is one of the third countries listed in Annex II;
- (c) members of the armed forces travelling on NATO or Partnership for Peace business and holders of identification and movement orders provided for by the Agreement of 19 June 1951 between the Parties to the North Atlantic Treaty Organisation regarding the status of their forces.

P 3: Visa requirements for the Schengen Area map.png - 3:2 [Visa requirements for the Sche..] (60:570) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos



P 4: EU Visa Code, consolidated version.pdf - 4:1 [REGULATION (EC) No 810/2009 OF..] (1:125-1:256) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

REGULATION (EC) No 810/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 13 July 2009

establishing a Community Code on Visas

P 4: EU Visa Code, consolidated version.pdf - 4:4 [REGULATION (EC) No 810/2009 OF..] (2:1-2:478) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

REGULATION (EC) No 810/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 13 July 2009

establishing a Community Code on Visas

(Visa Code)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(a) and (b)(ii) thereof,

Having regard to the proposal from the Commission,

Acting in accordance with the procedure laid down in Article 251 of the Treaty (

1

),

P 4: EU Visa Code, consolidated version.pdf - 4:5 [In accordance with Article 61 ..] (2:495-2:2141) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

In accordance with Article 61 of the Treaty, the creation of an area in which persons may move freely should be accompanied by measures with respect to external border controls, asylum and immigration.

(2) Pursuant to Article 62(2) of the Treaty, measures on the crossing of the external borders of the Member States shall establish rules on visas for intended stays of no more than three months, including the procedures and conditions for issuing visas by Member States.

(3) As regards visa policy, the establishment of a 'common corpus' of legislation, particularly via the consolidation and development of the acquis (the relevant provisions of the Convention implementing the Schengen Agreement of 14 June 1985 (

2

) and the

Common Consular Instructions (

3

), is one of the fundamental

components of 'further development of the common visa policy as part of a multi-layer system aimed at facilitating legitimate travel and tackling illegal immigration through further harmonisation of national legislation and handling practices at local consular missions', as defined in the Hague Programme: strengthening freedom, security and justice in the European Union (

4

).

(4) Member States should be present or represented for visa purposes in all third countries whose nationals are subject to visa requirements. Member States lacking their own consulate in a given third country or in a certain part of a given third country should endeavour to conclude representation arrangements in order to avoid a disproportionate effort on the part of visa applicants to have access to consulates.

P 4: EU Visa Code, consolidated version.pdf - 4:6 [It is necessary to set out rul..] (3:5-3:2354) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

It is necessary to set out rules on the transit through international

areas of airports in order to combat illegal immigration. Thus nationals from a common list of third countries should be required to hold airport transit visas. Nevertheless, in urgent cases of mass influx of illegal immigrants, Member States should be allowed to impose such a requirement on nationals of third countries other than those listed in the common list. Member States' individual decisions should be reviewed on an annual basis.

(6) The reception arrangements for applicants should be made with due respect for human dignity. Processing of visa applications should be conducted in a professional and respectful manner and be proportionate to the objectives pursued.

(7) Member States should ensure that the quality of the service offered to the public is of a high standard and follows good administrative practices. They should allocate appropriate numbers of trained staff as well as sufficient resources in order to facilitate as much as possible the visa application process. Member States should ensure that a 'one-stop' principle is applied to all applicants.

(8) Provided that certain conditions are fulfilled, multiple-entry visas should be issued in order to lessen the administrative burden of Member States' consulates and to facilitate smooth travel for frequent or regular travellers. Applicants known to the consulate for their integrity and reliability should as far as possible benefit from a simplified procedure.

(9) Because of the registration of biometric identifiers in the Visa Information System (VIS) as established by Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (

1

), the appearance of the applicant in person — at least for the first application — should be one of the basic requirements for the application for a visa.

(10) In order to facilitate the visa application procedure of any subsequent application, it should be possible to copy fingerprints

from the first entry into the VIS within a period of 59 months.
Once this period of time has elapsed, the fingerprints should be collected again.

P 4: EU Visa Code, consolidated version.pdf - 4:7 [Any document, data or biometri..] (3:2362-3:2970) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Any document, data or biometric identifier received by a Member State in the course of the visa application process shall be considered a consular document under the Vienna Convention on Consular Relations of 24 April 1963 and shall be treated in an appropriate manner.

(12) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (

2

) applies to the Member States with regard to the processing of personal data pursuant to this Regulation.

P 4: EU Visa Code, consolidated version.pdf - 4:8 [In order to facilitate the pro..] (4:6-4:3104) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

In order to facilitate the procedure, several forms of cooperation should be envisaged, such as limited representation, co-location, common application centres, recourse to honorary consuls and cooperation with external service providers, taking into account in particular data protection requirements set out in Directive 95/46/EC. Member States should, in accordance with the conditions laid down in this Regulation, determine the type of organisational structure which they will use in each third country.

(14) It is necessary to make provision for situations in which a Member State decides to cooperate with an external service

provider for the collection of applications. Such a decision may be taken if, in particular circumstances or for reasons relating to the local situation, cooperation with other Member States in the form of representation, limited representation, co-location or a Common Application Centre proves not to be appropriate for the Member State concerned. Such arrangements should be established in compliance with the general principles for issuing visas and with the data protection requirements set out in Directive 95/46/EC. In addition, the need to avoid visa shopping should be taken into consideration when establishing and implementing such arrangements.

(15) Where a Member State has decided to cooperate with an external service provider, it should maintain the possibility for all applicants to lodge applications directly at its diplomatic missions or consular posts.

(16) A Member State should cooperate with an external service provider on the basis of a legal instrument which should contain provisions on its exact responsibilities, on direct and total access to its premises, information for applicants, confidentiality and on the circumstances, conditions and procedures for suspending or terminating the cooperation.

(17) This Regulation, by allowing Member States to cooperate with external service providers for the collection of applications while establishing the 'one-stop' principle for the lodging of applications, creates a derogation from the general rule that an applicant must appear in person at a diplomatic mission or consular post. This is without prejudice to the possibility of calling the applicant for a personal interview.

(18) Local Schengen cooperation is crucial for the harmonised application of the common visa policy and for proper assessment of migratory and/or security risks. Given the differences in local circumstances, the operational application of particular legislative provisions should be assessed among Member States' diplomatic missions and consular posts in individual locations in order to ensure a harmonised application of the legislative provisions to prevent visa shopping and different treatment of visa applicants.

(19) Statistical data are an important means of monitoring migratory

movements and can serve as an efficient management tool.
Therefore, such data should be compiled regularly in a
common format.

P 4: EU Visa Code, consolidated version.pdf - 4:9 [The measures necessary for the..] (5:6-5:3164) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

The measures necessary for the implementation of this Regulation
should be adopted in accordance with Council Decision
1999/468/EC of 28 June 1999 laying down the procedures for
the exercise of implementing powers conferred on the
Commission (

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).

(21) In particular, the Commission should be empowered to adopt
amendments to the Annexes to this Regulation. Since those
measures are of general scope and are designed to amend non-
essential elements of this Regulation, inter alia, by supplementing
it with new non-essential elements, they must be adopted in
accordance with the regulatory procedure with scrutiny
provided for in Article 5a of Decision 1999/468/EC.

(22) In order to ensure the harmonised application of this Regulation
at operational level, instructions should be drawn up on the
practice and procedures to be followed by Member States when
processing visa applications.

(23) A common Schengen visa Internet site is to be established to
improve the visibility and a uniform image of the common visa
policy. Such a site will serve as a means to provide the general
public with all relevant information in relation to the application
for a visa.

(24) Appropriate measures should be adopted for the monitoring and
evaluation of this Regulation.

(25) The VIS Regulation and Regulation (EC) No 562/2006 of the
European Parliament and of the Council of 15 March 2006 estab
lishing a Community Code on the rules governing the movement

of persons across borders (Schengen Borders Code) (

2

) should be

amended in order to take account of the provisions of this Regulation.

(26) Bilateral agreements concluded between the Community and third countries aiming at facilitating the processing of applications for visas may derogate from the provisions of this Regulation.

(27) When a Member State hosts the Olympic Games and the Paralympic Games, a particular scheme facilitating the issuing of visas to members of the Olympic family should apply.

(28) Since the objective of this Regulation, namely the establishment of the procedures and conditions for issuing visas for transit through or intended stays in the territory of the Member States not exceeding three months in any six-month period, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

(29) This Regulation respects fundamental rights and observes the principles recognised in particular by the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms and by the Charter of Fundamental Rights of the European Union.

(30) The conditions governing entry into the territory of the Member States or the issue of visas do not affect the rules currently governing recognition of the validity of travel documents.

P 4: EU Visa Code, consolidated version.pdf - 4:10 [In accordance with Articles 1 ..] (6:6-6:3202) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

In accordance with Articles 1 and 2 of the Protocol on the

Position of 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 Regulation and is not bound by it, or subject to its application. Given that this Regulation builds on the Schengen acquis under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark shall, in accordance with Article 5 of that Protocol, decide within a period of six months after the date of adoption of this Regulation whether it will implement it in its national law.

(32) As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Agreement concluded between the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

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) which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC (

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) on certain

arrangements for the application of that Agreement.

(33) An arrangement should be made to allow representatives of Iceland and Norway to be associated with the work of committees assisting the Commission in the exercise of its implementing powers under this Regulation. Such an arrangement has been contemplated in the Exchange of Letters between the Council of the European Union and Iceland and Norway concerning committees which assist the European Commission in the exercise of its executive powers (

3

), annexed to the above

mentioned Agreement. The Commission has submitted to the Council a draft recommendation with a view to negotiating this arrangement.

(34) As regards Switzerland, this Regulation constitutes a development

of the provisions of the Schengen acquis within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (

4

), which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC (

5

) on the conclusion of that Agreement.

(35) As regards Liechtenstein, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Protocol signed between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement concluded between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, which fall within the area referred to in Article 1, point B, of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/261/EC (

6

) on the signing of that Protocol.

P 4: EU Visa Code, consolidated version.pdf - 4:11 [This Regulation constitutes a ..] (7:6-7:1195) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

This Regulation constitutes a development of the provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the

provisions of the Schengen acquis (

1

). The United Kingdom is

therefore not taking part in its adoption and is not bound by it or subject to its application.

(37) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (

2

). Ireland is therefore not

taking part in the adoption of the Regulation and is not bound by it or subject to its application.

(38) This Regulation, with the exception of Article 3, constitutes provisions building on the Schengen acquis or otherwise relating to it within the meaning of Article 3(2) of the 2003 Act of Accession and within the meaning of Article 4(2) of the 2005 Act of Accession,

P 4: EU Visa Code, consolidated version.pdf - 4:12 [The provisions of this Regulat..] (7:1505-7:2387) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

The provisions of this Regulation shall apply to any third-country national who must be in possession of a visa when crossing the external borders of the Member States pursuant to Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (

3

), without

prejudice to:

(a) the rights of free movement enjoyed by third-country nationals who are family members of citizens of the Union;

(b) the equivalent rights enjoyed by third-country nationals and their

family members, who, under agreements between the Community and its Member States, on the one hand, and these third countries, on the other, enjoy rights of free movement equivalent to those of Union citizens and members of their families.

P 4: EU Visa Code, consolidated version.pdf - 4:13 [Authorities competent for taki..] (10:147-10:991) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Authorities competent for taking part in the procedures relating to applications

1. Applications shall be examined and decided on by consulates.
2. By way of derogation from paragraph 1, applications may be examined and decided on at the external borders of the Member States by the authorities responsible for checks on persons, in accordance with Articles 35 and 36.
3. In the non-European overseas territories of Member States, applications may be examined and decided on by the authorities designated by the Member State concerned.
4. A Member State may require the involvement of authorities other than the ones designated in paragraphs 1 and 2 in the examination of and decision on applications.
5. A Member State may require to be consulted or informed by another Member State in accordance with Articles 22 and 31

P 4: EU Visa Code, consolidated version.pdf - 4:14 [Member State competent for exa..] (10:1006-11:463) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Member State competent for examining and deciding on an application

1. The Member State competent for examining and deciding on an application for a uniform visa shall be:
 - (a) the Member State whose territory constitutes the sole destination of the visit(s);

- (b) if the visit includes more than one destination, the Member State whose territory constitutes the main destination of the visit(s) in terms of the length or purpose of stay; or
 - (c) if no main destination can be determined, the Member State whose external border the applicant intends to cross in order to enter the territory of the Member States.
2. The Member State competent for examining and deciding on an application for a uniform visa for the purpose of transit shall be:
- (a) in the case of transit through only one Member State, the Member State concerned; or
 - (b) in the case of transit through several Member States, the Member State whose external border the applicant intends to cross to start the transit.
3. The Member State competent for examining and deciding on an application for an airport transit visa shall be:
- (a) in the case of a single airport transit, the Member State on whose territory the transit airport is situated; or

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2009R0810 — EN — 20.03.2012 — 002.001 — 10(b) in the case of double or multiple airport transit, the Member State on whose territory the first transit airport is situated.

4. Member States shall cooperate to prevent a situation in which an application cannot be examined and decided on because the Member State that is competent in accordance with paragraphs 1 to 3 is neither present nor represented in the third country where the applicant lodges the application in accordance with Article 6.

P 4: EU Visa Code, consolidated version.pdf - 4:15 [Representation arrangements 1...] (11:1378-12:2187) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Representation arrangements

1. A Member State may agree to represent another Member State that is competent in accordance with Article 5 for the purpose of examining applications and issuing visas on behalf of that Member State. A Member State may also represent another Member State in a limited manner solely for the collection of applications and the enrolment of

biometric identifiers.

2. The consulate of the representing Member State shall, when contemplating refusing a visa, submit the application to the relevant authorities of the represented Member State in order for them to take the final decision on the application within the time limits set out in Article 23(1), (2) or (3).

3. The collection and transmission of files and data to the represented Member State shall be carried out in compliance with the relevant data protection and security rules.

4. A bilateral arrangement shall be established between the representing Member State and the represented Member State containing the following elements:

(a) it shall specify the duration of such representation, if only temporary, and procedures for its termination;

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2009R0810 — EN — 20.03.2012 — 002.001 — 11(b) it may, in particular when the represented Member State has a consulate in the third country concerned, provide for the provision of premises, staff and payments by the represented Member State;

(c) it may stipulate that applications from certain categories of third-country nationals are to be transmitted by the representing Member State to the central authorities of the represented Member State for prior consultation as provided for in Article 22;

(d) by way of derogation from paragraph 2, it may authorise the consulate of the representing Member State to refuse to issue a visa after examination of the application.

5. Member States lacking their own consulate in a third country shall endeavour to conclude representation arrangements with Member States that have consulates in that country.

6. With a view to ensuring that a poor transport infrastructure or long distances in a specific region or geographical area does not require a disproportionate effort on the part of applicants to have access to a consulate, Member States lacking their own consulate in that region or area shall endeavour to conclude representation arrangements with Member States that have consulates in that region or area.

7. The represented Member State shall notify the representation arrangements or the termination of such arrangements to the Commission before they enter into force or are terminated.

8. Simultaneously, the consulate of the representing Member State shall inform both the consulates of other Member States and the delegation of the Commission in the jurisdiction concerned about representation arrangements or the termination of such arrangements before they enter into force or are terminated.

9. If the consulate of the representing Member State decides to cooperate with an external service provider in accordance with Article 43, or with accredited commercial intermediaries as provided for in Article 45, such cooperation shall include applications covered by representation arrangements. The central authorities of the represented Member State shall be informed in advance of the terms of such cooperation.

P 4: EU Visa Code, consolidated version.pdf - 4:16 [Practical modalities for lodgi..] (12:2226-13:1348) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Practical modalities for lodging an application

1. Applications shall be lodged no more than three months before the start of the intended visit. Holders of a multiple-entry visa may lodge the application before the expiry of the visa valid for a period of at least six months.

2. Applicants may be 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.

3. In justified cases of urgency, the consulate may allow applicants to lodge their applications either without appointment, or an appointment shall be given immediately.

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2009R0810 — EN — 20.03.2012 — 002.001 — 124. Applications may be lodged at the consulate by the applicant or by accredited commercial intermediaries, as provided for in Article 45(1), without prejudice to Article 13, or in accordance with Article 42 or 43.

Article 10

General rules for lodging an application

1. Without prejudice to the provisions of Articles 13, 42, 43 and 45,

applicants shall appear in person when lodging an application.

2. Consulates may waive the requirement referred to in paragraph 1 when the applicant is known to them for his integrity and reliability.

3. When lodging the application, the applicant shall:

(a) present an application form in accordance with Article 11;

(b) present a travel document in accordance with Article 12;

(c) present a photograph in accordance with the standards set out in Regulation (EC) No 1683/95 or, where the VIS is operational pursuant to Article 48 of the VIS Regulation, in accordance with the standards set out in Article 13 of this Regulation;

(d) allow the collection of his fingerprints in accordance with Article 13, where applicable;

(e) pay the visa fee in accordance with Article 16;

(f) provide supporting documents in accordance with Article 14 and Annex II;

(g) where applicable, produce proof of possession of adequate and valid travel medical insurance in accordance with Article 15.

P 4: EU Visa Code, consolidated version.pdf - 4:17 [Application form 1. Each appli..] (13:1363-14:653) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Application form

1. Each applicant shall submit a completed and signed application form, as set out in Annex I. Persons included in the applicant's travel document shall submit a separate application form. Minors shall submit an application form signed by a person exercising permanent or temporary parental authority or legal guardianship.

2. Consulates shall make the application form widely available and easily accessible to applicants free of charge.

3. The form shall be available in the following languages:

(a) the official language(s) of the Member State for which a visa is requested;

(b) the official language(s) of the host country;

(c) the official language(s) of the host country and the official language(s) of the Member State for which a visa is requested; or

(d) in case of representation, the official language(s) of the representing Member State.

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2009R0810 — EN — 20.03.2012 — 002.001 — 13In addition to the language(s) referred to in point (a), the form may be made available in another official language of the institutions of the European Union.

4. If the application form is not available in the official language(s) of the host country, a translation of it into that/those language(s) shall be made available separately to applicants.

5. A translation of the application form into the official language(s) of the host country shall be produced under local Schengen cooperation provided for in Article 48.

6. The consulate shall inform applicants of the language(s) which may be used when filling in the application form.

P 4: EU Visa Code, consolidated version.pdf - 4:18 [Travel document The applicant ..] (14:668-14:1211) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Travel document

The applicant shall present a valid travel document satisfying the following criteria:

(a) its validity shall extend at least three months after the intended date of departure from the territory of the Member States or, in the case of several visits, after the last intended date of departure from the territory of the Member States. However, in a justified case of emergency, this obligation may be waived;

(b) it shall contain at least two blank pages;

(c) it shall have been issued within the previous 10 years.

P 4: EU Visa Code, consolidated version.pdf - 4:19 [Member States shall collect bi..] (14:1252-14:1649) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Member States shall collect biometric identifiers of the applicant comprising a photograph of him and his 10 fingerprints in accordance

with the safeguards laid down in the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms, in the Charter of Fundamental Rights of the European Union and in the United Nations Convention on the Rights of the Child.

P 4: EU Visa Code, consolidated version.pdf - 4:20 [Supporting documents 1. When a..] (15:2712-16:672) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Supporting documents

1. When applying for a uniform visa, the applicant shall present:

(a) documents indicating the purpose of the journey;

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) OJ L 267, 27.9.2006, p. 41.(b) documents in relation to accommodation, or proof of sufficient means to cover his accommodation;

(c) documents indicating that the applicant possesses sufficient means of subsistence both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or that he is in a position to acquire such means lawfully, in accordance with Article 5(1)(c) and (3) of the Schengen Borders Code;

(d) information enabling an assessment of the applicant's intention to leave the territory of the Member States before the expiry of the visa applied for.

P 4: EU Visa Code, consolidated version.pdf - 4:21 [When applying for an airport t..] (16:678-16:982) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

When applying for an airport transit visa, the applicant shall present:

(a) documents in relation to the onward journey to the final destination

after the intended airport transit;
(b) information enabling an assessment of the applicant's intention not to enter the territory of the Member States.

P 4: EU Visa Code, consolidated version.pdf - 4:22 [Member States may require appl..] (16:1200-16:1740) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Member States may require applicants to present a proof of sponsorship and/or private accommodation by completing a form drawn up by each Member State. That form shall indicate in particular:

- (a) whether its purpose is proof of sponsorship and/or of accommodation;
- (b) whether the host is an individual, a company or an organisation;
- (c) the host's identity and contact details;
- (d) the invited applicant(s);
- (e) the address of the accommodation;
- (f) the length and purpose of the stay;
- (g) possible family ties with the host.

P 4: EU Visa Code, consolidated version.pdf - 4:23 [Travel medical insurance 1. Ap..] (17:13-17:414) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Travel medical insurance

1. Applicants for a uniform visa for one or two entries shall prove that they are in possession of adequate and valid travel medical insurance to cover any expenses which might arise in connection with repatriation for medical reasons, urgent medical attention and/or emergency hospital treatment or death, during their stay(s) on the territory of the Member States.

P 4: EU Visa Code, consolidated version.pdf - 4:24 [Visa fee 1. Applicants shall p..] (17:2261-17:2418) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Visa fee

1. Applicants shall pay a visa fee of EUR 60.
2. Children from the age of six years and below the age of 12 years shall pay a visa fee of EUR 35.

P 4: EU Visa Code, consolidated version.pdf - 4:25 [The visa fee shall be waived f..] (18:4-18:1314) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

The visa fee shall be waived for applicants belonging to one of the following categories:

- (a) children under six years;
- (b) school pupils, students, postgraduate students and accompanying teachers who undertake stays for the purpose of study or educational training;
- (c) researchers from third countries travelling for the purpose of carrying out scientific research as defined in Recommendation No 2005/761/EC of the European Parliament and of the Council of 28 September 2005 to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the Community for the purpose of carrying out scientific research (
- 1
-);

- (d) representatives of non-profit organisations aged 25 years or less participating in seminars, conferences, sports, cultural or educational events organised by non-profit organisations.

5. The visa fee may be waived for:

- (a) children from the age of six years and below the age of 12 years;
- (b) holders of diplomatic and service passports;
- (c) participants aged 25 years or less in seminars, conferences, sports, cultural or educational events, organised by non-profit organisations.

Within local Schengen cooperation, Member States shall aim to harmonise the application of these exemptions.

P 4: EU Visa Code, consolidated version.pdf - 4:26 [Service fee 1. An additional s..] (18:2341-18:2627) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Service fee

1. An additional service fee may be charged by an external service provider referred to in Article 43. The service fee shall be proportionate to the costs incurred by the external service provider while performing one or more of the tasks referred to in Article 43(6).

P 4: EU Visa Code, consolidated version.pdf - 4:27 [Examination of and decision on..] (19:797-20:569) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Examination of and decision on an application

Article 18

Verification of consular competence

1. When an application has been lodged, the consulate shall verify whether it is competent to examine and decide on it in accordance with the provisions of Articles 5 and 6.
2. If the consulate is not competent, it shall, without delay, return the application form and any documents submitted by the applicant, reimburse the visa fee, and indicate which consulate is competent.

Article 19

Admissibility

1. The competent consulate shall verify whether:
 - the application has been lodged within the period referred to in Article 9(1),
 - the application contains the items referred to in Article 10(3)(a) to (c),
 - the biometric data of the applicant have been collected, and
 - the visa fee has been collected.
2. Where the competent consulate finds that the conditions referred to in paragraph 1 have been fulfilled, the application shall be admissible and the consulate shall:
 - follow the procedures described in Article 8 of the VIS Regulation,

and

— further examine the application.

Data shall be entered in the VIS only by duly authorised consular staff in accordance with Articles 6(1), 7, 9(5) and 9(6) of the VIS Regulation.

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2009R0810 — EN — 20.03.2012 — 002.001 — 193. Where the competent consulate finds that the conditions referred to in paragraph 1 have not been fulfilled, the application shall be inadmissible and the consulate shall without delay:

— return the application form and any documents submitted by the applicant,

— destroy the collected biometric data,

— reimburse the visa fee, and

— not examine the application.

4. By way of derogation, an application that does not meet the requirements set out in paragraph 1 may be considered admissible on humanitarian grounds or for reasons of national interest.

P 4: EU Visa Code, consolidated version.pdf - 4:28 [Stamp indicating that an appli..] (20:584-21:2326) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Stamp indicating that an application is admissible

1. When an application is admissible, the competent consulate shall stamp the applicant's travel document. The stamp shall be as set out in the model in Annex III and shall be affixed in accordance with the provisions of that Annex.

2. Diplomatic, service/official and special passports shall not be stamped.

3. The provisions of this Article shall apply to the consulates of the Member States until the date when the VIS becomes fully operational in all regions, in accordance with Article 48 of the VIS Regulation.

Article 21

Verification of entry conditions and risk assessment

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code, and

particular consideration shall be given to assessing whether the applicant presents a risk of illegal immigration or a risk to the security of the Member States and whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for.

2. In respect of each application, the VIS shall be consulted in accordance with Articles 8(2) and 15 of the VIS Regulation. Member States shall ensure that full use is made of all search criteria pursuant to Article 15 of the VIS Regulation in order to avoid false rejections and identifications.

3. While checking whether the applicant fulfils the entry conditions, the consulate shall verify:

(a) that the travel document presented is not false, counterfeit or forged;

(b) the applicant's justification for the purpose and conditions of the intended stay, and that he has sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is in a position to acquire such means lawfully;

(c) whether the applicant is a person for whom an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry;

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2009R0810 — EN — 20.03.2012 — 002.001 — 20(d) that the applicant is not considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where no alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds;

(e) that the applicant is in possession of adequate and valid travel medical insurance, where applicable.

4. The consulate shall, where applicable, verify the length of previous and intended stays in order to verify that the applicant has not exceeded the maximum duration of authorised stay in the territory of the Member States, irrespective of possible stays authorised under a national long-stay visa or a residence permit issued by another Member State.

5. The means of subsistence for the intended stay shall be assessed in accordance with the duration and the purpose of the stay and by reference to average prices in the Member State(s) concerned for board and lodging in budget accommodation, multiplied by the number of days stayed, on the basis of the reference amounts set by the Member States in accordance with Article 34(1)(c) of the Schengen Borders Code. Proof of sponsorship and/or private accommodation may also constitute evidence of sufficient means of subsistence.

6. In the examination of an application for an airport transit visa, the consulate shall in particular verify:

(a) that the travel document presented is not false, counterfeit or forged;

(b) the points of departure and destination of the third-country national concerned and the coherence of the intended itinerary and airport transit;

(c) proof of the onward journey to the final destination.

7. The examination of an application shall be based notably on the authenticity and reliability of the documents submitted and on the veracity and reliability of the statements made by the applicant.

8. During the examination of an application, consulates may in justified cases call the applicant for an interview and request additional documents.

9. A previous visa refusal shall not lead to an automatic refusal of a new application. A new application shall be assessed on the basis of all available information.

P 4: EU Visa Code, consolidated version.pdf - 4:29 [Prior consultation of central ..] (21:2341-21:2732) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Prior consultation of central authorities of other Member States

1. A Member State may require the central authorities of other Member States to consult its central authorities during the examination of applications lodged by nationals of specific third countries or specific categories of such nationals. Such consultation shall not apply to applications for airport transit visas.

P 4: EU Visa Code, consolidated version.pdf - 4:30 [Decision on the application 1...] (22:567-22:1742) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Decision on the application

1. Applications shall be decided on within 15 calendar days of the date of the lodging of an application which is admissible in accordance with Article 19.
2. That period may be extended up to a maximum of 30 calendar days in individual cases, notably when further scrutiny of the application is needed or in cases of representation where the authorities of the represented Member State are consulted.
3. Exceptionally, when additional documentation is needed in specific cases, the period may be extended up to a maximum of 60 calendar days.
4. Unless the application has been withdrawn, a decision shall be taken to:
 - (a) issue a uniform visa in accordance with Article 24;
 - (b) issue a visa with limited territorial validity in accordance with Article 25;
 - (c) refuse a visa in accordance with Article 32; or
 - (d) discontinue the examination of the application and transfer it to the relevant authorities of the represented Member State in accordance with Article 8(2).

The fact that fingerprinting is physically impossible, in accordance with Article 13(7)(b), shall not influence the issuing or refusal of a visa.

P 4: EU Visa Code, consolidated version.pdf - 4:31 [Issuing of a uniform visa 1. T..] (22:1790-23:1502) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Issuing of a uniform visa

1. The period of validity of a visa and the length of the authorised stay shall be based on the examination conducted in accordance with Article 21.

A visa may be issued for one, two or multiple entries. The period of

validity shall not exceed five years.

In the case of transit, the length of the authorised stay shall correspond to the time necessary for the purpose of the transit.

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2009R0810 — EN — 20.03.2012 — 002.001 — 22 Without prejudice to Article 12(a), the period of validity of the visa shall include an additional 'period of grace' of 15 days.

Member States may decide not to grant such a period of grace for reasons of public policy or because of the international relations of any of the Member States.

2. Without prejudice to Article 12(a), multiple-entry visas shall be issued with a period of validity between six months and five years, where the following conditions are met:

(a) the applicant proves the need or justifies the intention to travel frequently and/or regularly, in particular due to his occupational or family status, such as business persons, civil servants engaged in regular official contacts with Member States and EU institutions, representatives of civil society organisations travelling for the purpose of educational training, seminars and conferences, family members of citizens of the Union, family members of third-country nationals legally residing in Member States and seafarers; and
(b) the applicant proves his integrity and reliability, in particular the lawful use of previous uniform visas or visas with limited territorial validity, his economic situation in the country of origin and his genuine intention to leave the territory of the Member States before the expiry of the visa applied for.

3. The data set out in Article 10(1) of the VIS Regulation shall be entered into the VIS when a decision on issuing such a visa has been taken.

P 4: EU Visa Code, consolidated version.pdf - 4:32 [Issuing of a visa with limited..] (23:1517-23:2815) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Issuing of a visa with limited territorial validity

1. A visa with limited territorial validity shall be issued exceptionally, in the following cases:

(a) when the Member State concerned considers it necessary on humanitarian grounds, for reasons of national interest or because of international obligations,

(i) to derogate from the principle that the entry conditions laid down in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code must be fulfilled;

(ii) to issue a visa despite an objection by the Member State consulted in accordance with Article 22 to the issuing of a uniform visa; or

(iii) to issue a visa for reasons of urgency, although the prior consultation in accordance with Article 22 has not been carried out;

or

(b) when for reasons deemed justified by the consulate, a new visa is issued for a stay during the same six-month period to an applicant who, over this six-month period, has already used a uniform visa or a visa with limited territorial validity allowing for a stay of three months.

2. A visa with limited territorial validity shall be valid for the territory of the issuing Member State. It may exceptionally be valid for the territory of more than one Member State, subject to the consent of each such Member State.

P 4: EU Visa Code, consolidated version.pdf - 4:33 [Issuing of an airport transit ..] (24:877-24:2434) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Issuing of an airport transit visa

1. An airport transit visa shall be valid for transiting through the international transit areas of the airports situated on the territory of Member States.

2. Without prejudice to Article 12(a), the period of validity of the visa shall include an additional 'period of grace' of 15 days.

Member States may decide not to grant such a period of grace for reasons of public policy or because of the international relations of any of the Member States.

3. Without prejudice to Article 12(a), multiple airport transit visas may be issued with a period of validity of a maximum six months.
4. The following criteria in particular are relevant for taking the decision to issue multiple airport transit visas:
 - (a) the applicant's need to transit frequently and/or regularly; and
 - (b) the integrity and reliability of the applicant, in particular the lawful use of previous uniform visas, visas with limited territorial validity or airport transit visas, his economic situation in his country of origin and his genuine intention to pursue his onward journey.
5. If the applicant is required to hold an airport transit visa in accordance with the provisions of Article 3(2), the airport transit visa shall be valid only for transiting through the international transit areas of the airports situated on the territory of the Member State(s) concerned.
6. The data set out in Article 10(1) of the VIS Regulation shall be entered into the VIS when a decision on issuing such a visa has been taken.

P 4: EU Visa Code, consolidated version.pdf - 4:34 [Filling in the visa sticker 1...] (24:2449-25:629) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Filling in the visa sticker

1. When the visa sticker is filled in, the mandatory entries set out in Annex VII shall be inserted and the machine-readable zone filled in, as provided for in ICAO document 9303, Part 2.

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2009R0810 — EN — 20.03.2012 — 002.001 — 242. Member States may add national entries in the 'comments' section of the visa sticker, which shall not duplicate the mandatory entries in Annex VII.

3. All entries on the visa sticker shall be printed, and no manual changes shall be made to a printed visa sticker.
4. Visa stickers may be filled in manually only in case of technical force majeure. No changes shall be made to a manually filled in visa sticker.
5. When a visa sticker is filled in manually in accordance with paragraph 4 of this Article, this information shall be entered into the

VIS in accordance with Article 10(1)(k) of the VIS Regulation.

P 4: EU Visa Code, consolidated version.pdf - 4:35 [Invalidation of a completed vi..] (25:644-25:2219) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Invalidation of a completed visa sticker

1. If an error is detected on a visa sticker which has not yet been affixed to the travel document, the visa sticker shall be invalidated.
2. If an error is detected after the visa sticker has been affixed to the travel document, the visa sticker shall be invalidated by drawing a cross with indelible ink on the visa sticker and a new visa sticker shall be affixed to a different page.
3. If an error is detected after the relevant data have been introduced into the VIS in accordance with Article 10(1) of the VIS Regulation, the error shall be corrected in accordance with Article 24(1) of that Regulation.

Article 29

Affixing a visa sticker

1. The printed visa sticker containing the data provided for in Article 27 and Annex VII shall be affixed to the travel document in accordance with the provisions set out in Annex VIII.
2. Where the issuing Member State does not recognise the applicant's travel document, the separate sheet for affixing a visa shall be used.
3. When a visa sticker has been affixed to the separate sheet for affixing a visa, this information shall be entered into the VIS in accordance with Article 10(1)(j) of the VIS Regulation.
4. Individual visas issued to persons who are included in the travel document of the applicant shall be affixed to that travel document.
5. Where the travel document in which such persons are included is not recognised by the issuing Member State, the individual stickers shall be affixed to the separate sheets for affixing a visa.

P 4: EU Visa Code, consolidated version.pdf - 4:36 [Refusal of a visa 1. Without p..] (26:1005-27:1278) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Refusal of a visa

1. Without prejudice to Article 25(1), a visa shall be refused:

(a) if the applicant:

(i) presents a travel document which is false, counterfeit or forged;

(ii) does not provide justification for the purpose and conditions of the intended stay;

(iii) does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;

(iv) has already stayed for three months during the current six-month period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity;

(v) is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;

(vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds; or

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 26(vii) does not provide proof of holding adequate and valid travel medical insurance, where applicable;

or

(b) if there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.

2. A decision on refusal and the reasons on which it is based shall be notified to the applicant by means of the standard form set out in Annex VI.

3. Applicants who have been refused a visa shall have the right to appeal. Appeals shall be conducted against the Member State that has taken the final decision on the application and in accordance with the national law of that Member State. Member States shall provide applicants with information regarding the procedure to be followed in the event of an appeal, as specified in Annex VI.

4. In the cases referred to in Article 8(2), the consulate of the representing Member State shall inform the applicant of the decision taken by the represented Member State.

5. Information on a refused visa shall be entered into the VIS in accordance with Article 12 of the VIS Regulation.

P 4: EU Visa Code, consolidated version.pdf - 4:37 [Visas issued to seafarers in t..] (29:2119-30:78) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Visas issued to seafarers in transit at the external border

1. A seafarer who is required to be in possession of a visa when crossing the external borders of the Member States may be issued with a visa for the purpose of transit at the border where:

(a) he fulfils the conditions set out in Article 35(1); and

(b) he is crossing the border in question in order to embark on, re-embark on or disembark from a ship on which he will work or has worked as a seafarer.

2. Before issuing a visa at the border to a seafarer in transit, the competent national authorities shall comply with the rules set out in Annex IX, Part 1, and make sure that the necessary information concerning the seafarer in question has been exchanged by means of a duly completed form for seafarers in transit, as set out in Annex IX, Part 2.

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 293. This Article shall apply without prejudice to Article 35(3), (4) and (5).

P 4: EU Visa Code, consolidated version.pdf - 4:38 [Organisation of visa sections ..] (30:147-30:1676) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Organisation of visa sections

1. Member States shall be responsible for organising the visa sections of their consulates.

In order to prevent any decline in the level of vigilance and to protect staff from being exposed to pressure at local level, rotation schemes for staff dealing directly with applicants shall be set up, where appropriate. Particular attention shall be paid to clear work structures and a distinct allocation/division of responsibilities in relation to the taking of final decisions on applications. Access to consultation of the VIS and the SIS and other confidential information shall be restricted to a limited number of duly authorised staff. Appropriate measures shall be taken to prevent unauthorised access to such databases.

2. The storage and handling of visa stickers shall be subject to adequate security measures to avoid fraud or loss. Each consulate shall keep an account of its stock of visa stickers and register how each visa sticker has been used.

3. Member States' consulates shall keep archives of applications. Each individual file shall contain the application form, copies of relevant supporting documents, a record of checks made and the reference number of the visa issued, in order for staff to be able to reconstruct, if need be, the background for the decision taken on the application.

Individual application files shall be kept for a minimum of two years from the date of the decision on the application as referred to in Article 23(1).

P 4: EU Visa Code, consolidated version.pdf - 4:106 [2. In urgent cases of mass inf..] (9:336-9:793) (Super)

Codes: [Does the text represent or advocate a message?] [What messages does the text communicate in terms of institutional and social conventions?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

2. In urgent cases of mass influx of illegal immigrants, individual Member States may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on their territory. Member States shall notify the Commission of such decisions before their entry into force and of withdrawals of such an airport transit visa requirement.

P 4: EU Visa Code, consolidated version.pdf - 4:107 [2. Consulates may waive the re..] (13:411-13:549) (Super)

Codes: [Does the text represent or advocate a message?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

2. Consulates may waive the requirement referred to in paragraph 1 when the applicant is known to them for his integrity and reliability.

P 7: Visa Reciprocity Mechanism.pdf - 7:11 [COUNCIL REGULATION (EC) No 851..] (1:1-1:297) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

COUNCIL REGULATION (EC) No 851/2005

of 2 June 2005

amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement as regards the reciprocity mechanism

P 7: Visa Reciprocity Mechanism.pdf - 7:12 [THE COUNCIL OF THE EUROPEAN UN..] (1:300-1:575) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty establishing the European
Community, and in particular Article 62(2)(b)(i) thereof,
Having regard to the proposal from the Commission,
Having regard to the opinion of the European Parliament (

1

),

Whereas:

P 7: Visa Reciprocity Mechanism.pdf - 7:13 ['4. Where a third country list..] (2:160-2:819) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

'4. Where a third country listed in Annex II introduces a visa requirement for nationals of a Member State, the following provisions shall apply:

(a) within 90 days of such introduction, or its announcement, the Member State concerned shall notify the Council and the Commission in writing; the notification shall be published in the C series of the Official Journal of the European Union. The notification shall specify the date of implementation of the measure and the type of travel documents and visas concerned.

If the third country decides to lift the visa obligation before the expiry of this deadline, the notification becomes superfluous;

P 7: Visa Reciprocity Mechanism.pdf - 7:14 [where the third country in que..] (2:2857-2:3456) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

where the third country in question abolishes the visa requirement, the Member State shall immediately notify the Council and the Commission to that effect. The notification shall be published in the C series of the Official Journal of the European Union. Any temporary measure decided upon under subparagraph (d) shall terminate seven days after the publication in the Official Journal. In case the third country in question has introduced a visa requirement for nationals of two

or more Member States the termination of the temporary measure will only terminate after the last publication

P 8: Visa Facilitation Agreement Albania.pdf - 8:60 [AGREEMENT between the European..] (1:1-1:2592) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

AGREEMENT

between the European Community and the Republic of Albania on the facilitation of the issuance of visas

THE EUROPEAN COMMUNITY,
hereinafter referred to as 'the Community',
and

THE REPUBLIC OF ALBANIA,
hereinafter referred to as 'the Parties',

HAVING REGARD to the Stabilisation and Association Agreement (SAA) between the European Community and the Republic of Albania, which was signed on 12 June 2006 and which currently governs the relations with the Republic of Albania,

REAFFIRMING the intention to cooperate closely within the framework of the existing SAA structures for the liberalisation of the visa regime between the Republic of Albania and the European Union, in line with the conclusions of the EU-Western Balkans Summit held in Thessaloniki on 21 June 2003,

DESIRING, as a first concrete step towards the visa-free travel regime, to facilitate people-to-people contacts as an important condition for the steady development of economic, humanitarian, cultural, scientific and other ties, by facilitating the issuing of visas to citizens of the Republic of Albania,

BEARING IN MIND that, as from 4 August 2000, EU citizens are exempted from the visa requirement when travelling to the Republic of Albania for a period of time not exceeding 90 days per period of 180 days or transiting through the territory of the Republic of Albania,

RECOGNISING that if the Republic of Albania was to reintroduce the visa requirement for EU citizens, the same facilitations granted under this agreement to the citizens of the Republic of Albania would automatically, on the basis of reciprocity, apply to EU citizens,

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

HAVING REGARD to the entry into force of the agreement between the European Community and the Republic of Albania on the readmission of persons residing without authorisation,

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 establishing the European Community 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 establishing the European Community and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark,
HAVE AGREED AS FOLLOWS:

P 8: Visa Facilitation Agreement Albania.pdf - 8:61 [If the Republic of Albania was..] (1:2830-1:3130) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

If the Republic of Albania was to reintroduce the visa requirement for EU citizens or certain categories of EU citizens, the same facilitations granted under this agreement to the citizens of the Republic of Albania would automatically, on the basis of reciprocity, apply to EU citizens concerned.

P 8: Visa Facilitation Agreement Albania.pdf - 8:62 [Definitions For the purpose of..] (2:336-2:1312) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

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 point (a);
- (c) 'citizen of the Republic of Albania' shall mean a person who possesses Albanian citizenship;
- (d) 'visa' shall mean an authorisation issued by a Member State or a decision taken by such State which is required with a view to:
 - entry for an intended stay in that Member State or in several Member States of no more than 90 days in total,
 - entry for transit through the territory of that Member State or several Member States;
- (e) 'legally residing person' shall mean a citizen of the Republic of Albania authorised or entitled to stay for more than 90 days in the territory of a Member State, on the basis of Community or national legislation.

P 8: Visa Facilitation Agreement Albania.pdf - 8:63 [shall mean an authorisation is..] (2:765-2:1091) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

shall mean an authorisation issued by a Member State
or a decision taken by such State which is required with a
view to:

- entry for an intended stay in that Member State or in
several Member States of no more than 90 days in total,
- entry for transit through the territory of that Member
State or several Member States;

P 9: Visa Facilitation Agreement Armenia.pdf - 9:3 [If Armenia reintroduces the vi..] (1:2965-1:3253) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

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,

P 9: Visa Facilitation Agreement Armenia.pdf - 9:29 [AGREEMENT between the European..] (1:1-1:2741) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

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 Partnership and Cooperation Agreement 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 illegal immigration 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:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:30 [Definitions For the purpose of..] (2:12-2:943) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

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 of Great Britain and Northern Ireland;
(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.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:14 [AGREEMENT between the European..] (1:1-1:1924) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

AGREEMENT

between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union

THE EUROPEAN UNION, hereinafter referred to as 'the Union',
and

THE REPUBLIC OF CAPE VERDE, hereinafter referred to as 'Cape Verde',
Hereinafter referred to as 'the Parties',

WISHING to promote contacts between their peoples as an important factor in ensuring the constant development of economic, humanitarian, cultural, scientific and other ties by facilitating the issue of visas to their citizens on the basis of reciprocity,

HAVING REGARD to the Joint Declaration of 5 June 2008 on a Mobility Partnership between the European Union and Cape Verde, in accordance with which the Parties are to take steps to develop a dialogue on matters relating to short-stay visas, with a view to facilitating the mobility of certain categories of people,

RECALLING the Cotonou Partnership Agreement and the Special Partnership between the European Union and Cape Verde, approved by the Council of the European Union on 19 November 2007,

RECOGNISING that this should not encourage illegal immigration and paying special attention to security and read mission,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, 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 of Great Britain and Northern Ireland or to Ireland,

TAKING INTO ACCOUNT 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 the Kingdom of Denmark,

HAVE AGREED AS FOLLOWS:

P13: Visa Facilitation Agreement FYROM.pdf - 13:3 [If the former Yugoslav Republic..] (1:3200-1:3535) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

If the former Yugoslav Republic of Macedonia was to reintroduce the visa requirement for EU citizens or certain categories of EU citizens, the same facilitations granted under this agreement to the citizens of the former Yugoslav Republic of Macedonia would automatically, on the basis of reciprocity, apply to EU citizens concerned.

P13: Visa Facilitation Agreement FYROM.pdf - 13:36 [AGREEMENT between the European ..] (1:1-1:2943) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

AGREEMENT

between the European Community and the Former Yugoslav Republic of Macedonia on the facilitation of the issuance of visas

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',
and

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, hereinafter referred to as 'the Parties',

HAVING REGARD to the European Council decision of December 2005 to grant the former Yugoslav Republic of Macedonia, candidate country status,

HAVING REGARD to the Stabilisation and Association Agreement (SAA) between the European Community and the former

Yugoslav Republic of Macedonia, which was signed in April 2001 and entered into force on 1 April 2004 and which currently governs the relations with the former Yugoslav Republic of Macedonia,

REAFFIRMING, the intention to cooperate closely within the framework of the existing SAA structures for the liberalization

of the visa regime between the former Yugoslav Republic of Macedonia and the European Union, in line with the conclusions of the EU-Western Balkans Summit held in Thessaloniki on 21 June 2003,

RECOGNISING the progress made by the former Yugoslav Republic of Macedonia in the area of justice, freedom and security and, in particular, on migration, visa policy, border management and on document security,

DESIRING, as a first concrete step towards the visa free travel regime, 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 the former Yugoslav Republic of Macedonia,

BEARING IN MIND that, all EU citizens are exempted from the visa requirement when travelling to the former Yugoslav Republic of Macedonia for a period of time not exceeding 90 days or transiting through the territory of the former Yugoslav Republic of Macedonia,

RECOGNISING that if the former Yugoslav Republic of Macedonia was to reintroduce the visa requirement for EU citizens, the same facilitations granted under this agreement to the citizens of the former Yugoslav Republic of Macedonia would automatically, on the basis of reciprocity, apply to EU citizens,

RECOGNISING 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 establishing the European Community 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 establishing the European Community and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark,

HAVE AGREED AS FOLLOWS:

P13: Visa Facilitation Agreement FYROM.pdf - 13:37 [Definitions For the purpose of..] (2:355-2:1412) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

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 point (a);
- (c) 'Citizen of the former Yugoslav Republic of Macedonia': shall mean any person who possesses the citizenship of the former Yugoslav Republic of Macedonia;
- (d) 'Visa' shall mean an authorization issued by a Member State

or a decision taken by such State which is required with a view to:

— entry for an intended stay in that Member State or in several Member States of no more than 90 days in total,
— entry for transit through the territory of that Member State or several Member States;

(e) 'legally residing person' shall mean a citizen of the former Yugoslav Republic of Macedonia authorized or entitled to stay for more than 90 days in the territory of a Member State, on the basis of Community or national legislation.

P15: Visa Facilitation Agreement Moldova.pdf - 15:33 [AGREEMENT between the European...] (1:1-1:2295) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

AGREEMENT

between the European Community and the Republic of Moldova on the facilitation of the issuance of visas

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community';
and

THE REPUBLIC OF MOLDOVA,
hereinafter referred to as 'the Parties',

BEARING IN MIND that, as from 1 January 2007, EU citizens are exempted from the visa requirement when travelling to the Republic of Moldova for a period of time not exceeding 90 days per period of 180 days or transiting through the territory of the Republic of Moldova,
WITH A VIEW to further developing friendly relations between the Parties and 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 issuance of visas to Moldovan citizens,

HAVING REGARD to the current EU-Moldova ENP Action Plan, which noted that a constructive dialogue on visa cooperation between the EU and Moldova, including an exchange of views on possibilities of visa facilitation in compliance with the
acquis would be established,

RECOGNISING the introduction of a visa-free travel regime for the citizens of the Republic of Moldova as a long term
perspective,

RECOGNISING that if the Republic of Moldova were to reintroduce the visa requirement for EU citizens, the same facilitations granted under this agreement to the citizens of the Republic of Moldova would automatically, on the basis of reciprocity, apply to citizens of the European Union,

RECOGNISING 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 establishing the European Community 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 establishing the European Community and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark,
HAVE AGREED AS FOLLOWS:

P16: Visa Facilitation Agreement Moldova amendment.pdf - 16:5 [AGREEMENT between the European..] (1:1-1:1455) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

AGREEMENT

between the European Union and the Republic of Moldova amending the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas

THE EUROPEAN UNION,

and

THE REPUBLIC OF MOLDOVA,

hereinafter referred to as 'the Parties',

HAVING REGARD to the Agreement between the European Community and the Republic of Moldova on the facilitation of the issuance of visas which entered into force on 1 January 2008,

DESIRING to further facilitate people-to-people contacts,

RECOGNISING the importance of the introduction of a visa-free travel regime for the citizens of the Republic of Moldova in due course, provided that the conditions for well-managed and secure mobility are in place,

TAKING INTO ACCOUNT the Protocol on the Schengen acquis integrated into the framework of the European Union and the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, 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,

TAKING INTO ACCOUNT 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,

HAVE AGREED AS FOLLOWS:

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:16 [Proposal for a Council Regulat..] (1:1-1:580) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Proposal for a Council Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

(2000/C 177 E/09)

COM(2000) 27 final — 2000/0030(CNS)

(Submitted by the Commission on 26 January 2000)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

P24: Consolidated Treaty on Establishing European Community.pdf - 24:42 [IS MAJESTY THE KING OF THE BEL..] (7:2-7:1944) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

IS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS (),

DETERMINED to lay the foundations of an ever closer union among the peoples of Europe,

RESOLVED to ensure the economic and social progress of their countries by common action to eliminate the barriers which divide Europe,

AFFIRMING as the essential objective of their efforts the constant improvements of the living and working conditions of their peoples,

RECOGNISING that the removal of existing obstacles calls for concerted action in order to guarantee steady expansion, balanced trade and fair competition,

ANXIOUS to strengthen the unity of their economies and to ensure their harmonious development by reducing the differences existing between the various regions and the backwardness of the less favoured regions,

DESIRING to contribute, by means of a common commercial policy, to the progressive abolition of restrictions on international trade,

INTENDING to confirm the solidarity which binds Europe and the overseas countries and desiring to ensure the development of their prosperity, in accordance with the principles of the Charter of the

United Nations,
RESOLVED by thus pooling their resources to preserve and strengthen peace and liberty, and calling
upon the other peoples of Europe who share their ideal to join in their efforts,
DETERMINED to promote the development of the highest possible level of knowledge for their peoples
through a wide access to education and through its continuous updating,
HAVE DECIDED to create a EUROPEAN COMMUNITY and to this end have designated as their
Plenipotentiaries:
List of plenipotentiaries not reproduced
WHO, having exchanged their full powers, found in good and due form, have agreed as follows

P24: Consolidated Treaty on Establishing European Community.pdf - 24:45 [he tasks entrusted to the Comm..] (10:744-10:1028) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

he tasks entrusted to the Community shall be carried out by the following institutions:

- a EUROPEAN PARLIAMENT,
- a COUNCIL,
- a COMMISSION,
- a COURT OF JUSTICE,
- a COURT OF AUDITORS.

Each institution shall act within the limits of the powers conferred upon it by this Treaty.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:49 [ticle 68 1. Article 234 shall ..] (29:473-29:1056) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

ticle 68

1. Article 234 shall apply to this title under the following circumstances and conditions: where a question on the interpretation of this title or on the validity or interpretation of acts of the institutions of the Community based on this title is raised in a case pending before a court or a tribunal of a Member State against whose decisions there is no judicial remedy under national law, that court or tribunal shall, if it considers that a decision on the question is necessary to enable it to give judgment, request the Court of Justice to give a ruling thereon.

P26: Schengen Protocol Page 31-1.pdf - 26:14 [THE COUNCIL OF THE EUROPEAN UN..] (1:339-1:2822) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Protocol integrating the Schengen acquis into the framework of the European Union, annexed to the Treaty on European Union and to the Treaty establishing the European Community by the Treaty of Amsterdam (hereinafter referred to as 'the Schengen Protocol'), and in particular Article 2 thereof,

(1) Whereas on 18 May 1999, an Agreement based on the first paragraph of Article 6 of the Schengen Protocol was concluded with the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (hereinafter referred to as 'the Agreement');

(2) Whereas it is necessary to establish arrangements for the application of some of the provisions of the Agreement;

(3) Whereas the Agreement establishes a Joint Committee, which is to address all matters relating to the application and further development of those provisions of the European Union which Iceland and Norway have undertaken to implement and apply pursuant to Article 2 of the Agreement;

(4) Whereas it is for the European Union to define the areas in which the further development of the existing provisions of the Union will be covered by the procedures set out in the Agreement, in particular the procedures for discussion within the Joint Committee;

(5) Whereas any amendments to the list of those areas may be adopted by the Council on the same legal basis as that of this Decision;

(6) Whereas the application of the procedures set out in the

Agreement is without prejudice to the Agreement on the European Economic Area and any other agreement between the European Community and Iceland and Norway or agreements concluded with those States on the basis of Articles 24 and 38 of the Treaty on European Union;

(7) Whereas this Decision is without prejudice to the application or the interpretation both of the Protocol on the position of Denmark, annexed by the Treaty of Amsterdam to the Treaty on European Union and to the Treaty establishing the European Community, and of other provisions of the Schengen Protocol;

(8) Whereas provision should be made for a consultation procedure within the Council before any decision is taken by the Joint Committee relating to the termination or continuation of the Agreement, with the aim of reaching a common position among the members of the Council,

HAS DECIDED AS FOLLOWS:

P26: Schengen Protocol Page 31-1.pdf - 26:15 [The procedures laid down in th..] (1:2836-2:1062) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

The procedures laid down in the Agreement of 18 May 1999 concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (hereinafter referred to as 'the Agreement') shall be applied to proposals and initiatives for the further development of those provisions in respect of which closer cooperation has been authorised under the Schengen Protocol and which fall within one of the following areas:

A. The crossing by persons of the external borders of those States which have decided to abolish checks at their internal borders, including the rules and arrangements with which those States must comply when carrying out

checks on persons at external borders, surveillance of border areas and cooperation with the services responsible for border control.

B. Short-stay visas, particularly the rules on a uniform visa, the list of countries whose nationals must be in possession of visas for the States concerned and those whose nationals are exempt from that requirement, the procedures and conditions for the issue of uniform visas, and cooperation and consultation between the issuing services.

C. Free movement, for a maximum period of three months, of nationals of third countries within the territory of those States which have decided to abolish checks at their internal borders and expulsion of such persons when their position is illegal.

D. The settlement of disputes between States in cases where a State has issued or is considering issuing a residence permit to an alien reported as a person not to be permitted entry by another State.

E. The penalties applicable to carriers and those responsible for organising illegal immigration.

10.7.1999 EN Official Journal of the European Communities L 176/31F. Protection of personal data exchanged between the services referred to in points A and B.

G. The Schengen Information System (SIS), including the relevant provisions on protection and security of data, the provisions on the operation of the national sections of the SIS and the exchange of information between those national sections (SIRENE system), and the effect of the alerts in the SIS for persons wanted for arrest for extradition purposes.

H. Any form of police cooperation coming under Articles 39 to 43, 46, 47, 73 and 126 to 130 of the Convention of 19 June 1990 implementing the Schengen Agreement on the gradual abolition of checks at the common borders, as applied between the Member States concerned at the time of entry into force of the Treaty of Amsterdam.

I. The arrangements for judicial cooperation in criminal matters described in Articles 48 to 63 and 65 to 69 of

the 1990 Convention referred to in point H, as applied between the Member States concerned at the time of the entry into force of the Treaty of Amsterdam.

P27: Schengen Protocol Page 1.pdf - 27:24 [THE COUNCIL OF THE EUROPEAN UN..] (1:403-1:3412) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Acting on the basis of Article 2(1), second subparagraph, first sentence, of the Protocol annexed to the Treaty on European Union and the Treaty establishing the European Community, integrating the Schengen acquis into the framework of the European Union (hereinafter referred to as 'the Schengen Protocol'),

(1) Whereas it is necessary to define the Schengen acquis in order to allow the Council to determine, in conformity with the relevant provision of the Treaties, legal bases for each of the provisions of the Schengen acquis;

(2) Whereas the determination of legal bases is necessary only in respect of those binding provisions or decisions constituting the Schengen acquis which are still operative;

(3) Whereas the Council must therefore establish for which provisions or decisions constituting the Schengen acquis it is not necessary to determine a legal basis in conformity with the relevant provision of the Treaties;

(4) Whereas the conclusion that for certain provisions of the Schengen acquis it is not necessary or appropriate for the Council to determine a legal basis in conformity with the relevant provisions of the Treaties may be justified on the following grounds:

(a) The provision does not have any binding legal force, and a comparable provision can be adopted by the Council only on the basis of an instrument that has not legal basis in one of the Treaties.

- (b) The passage of time and/or events have rendered the provision redundant.
- (c) The provision relates to institutional rules which are regarded as being superseded by European Union procedures.
- (d) The subject matter of the provision is covered by — and therefore superseded by — existing European Community or Union legislation or by a legal act adopted by all Member States.
- (e) The provision has been made redundant by the Agreement to be concluded with the Republic of Iceland and the Kingdom of Norway pursuant to Article 6 of the Schengen Protocol.
- (f) The provision concerns an area covered neither by the activity of the Community nor by the aims of the European Union and thus concerns one of those areas in which the Member States have retained freedom to act. This includes provisions which may be significant only for the purposes of calculating financial claims of or between the Member States concerned;
- (5) Even if on one of these grounds it is not necessary or not appropriate for the Council to establish legal bases for certain provisions of the Schengen acquis, this does not have the effect of rendering them redundant or depriving them of legal validity. The legal effects of acts still in force which were adopted on the basis of such provisions are not affected;
- (6) The rights and duties of Denmark are governed by Article 3 of the Protocol integrating the Schengen acquis into the framework of the European Union and in Articles 1 to 5 of the Protocol on the position of Denmark,
- HAS DECIDED AS FOLLOWS:

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:7 [Each Contracting Party reserve..] (4:390-4:1118) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Each Contracting Party reserves the option, for reasons of ordre public, security or public health, to delay the entry into force of this Agreement, or order the temporary suspension thereof in respect of all or some of the other Parties, except in so far as the provisions of Article 5 are concerned. The Secretary General of the Council of Europe shall immediately be informed when any such measure is taken and again when it ceases to be operative.

2 A Contracting Party which avails itself of either of the options provided for in the foregoing paragraph may not claim the application of this Agreement by any other Party save in so far as it also applies it in respect of that Party.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:22 [THE COUNCIL OF THE EUROPEAN UN..] (1:288-1:670) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 63, first paragraph, point (1)(a),

Having regard to the proposal from the Commission (

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),

Having regard to the opinion of the European Parliament (

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),

Having regard to the opinion of the European Economic and

Social Committee (

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),

Whereas:

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:23 [Article 2 For the purposes of ..] (2:3753-3:3765) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Article 2

For the purposes of this Regulation:

(a) 'third-country national' means anyone who is not a citizen

of the Union within the meaning of Article 17(1) of the Treaty establishing the European Community;

(b) 'Geneva Convention' means the Convention of 28 July 1951 relating to the status of refugees, as amended by the New York Protocol of 31 January 1967;

(c) 'application for asylum' means the application made by a third-country national which can be understood as a request for international protection from a Member State, under the Geneva Convention. Any application for international protection is presumed to be an application for asylum, unless a third-country national explicitly requests another kind of protection that can be applied for separately;

(d) 'applicant' or 'asylumseeker' means a third country national who has made an application for asylum in respect of which a final decision has not yet been taken;

L 50/2 Official Journal of the European Union EN 25.2.2003

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) OJ L 316, 15.12.2000, p. 1.

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) OJ L 184, 17.7.1999, p. 23.

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) OJ C 364, 18.12.2000, p. 1.(e) 'examination of an asylum application' means any examination of, or decision or ruling concerning, an application for asylum by the competent authorities in accordance with national law except for procedures for determining the Member State responsible in accordance with this Regulation;

(f) 'withdrawal of the asylum application' means the actions by which the applicant for asylum terminates the procedures initiated by the submission of his application for asylum, in accordance with national law, either explicitly or tacitly;

(g) 'refugee' means any third-country national qualifying for the status defined by the Geneva Convention and authorised to reside as such on the territory of a Member State;

(h) 'unaccompanied minor' means unmarried persons below the age of eighteen who arrive in the territory of the

Member States unaccompanied by an adult responsible for them whether by law or by custom, and for as long as they are not effectively taken into the care of such a person; it includes minors who are left unaccompanied after they have entered the territory of the Member States;

(i) 'family members' means insofar as the family already existed in the country of origin, the following members of the applicant's family who are present in the territory of the Member States:

(i) the spouse of the asylumseeker or his or her unmarried partner in a stable relationship, where the legislation or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its law relating to aliens;

(ii) the minor children of couples referred to in point (i) or of the applicant, on condition that they are unmarried and dependent and regardless of whether they were born in or out of wedlock or adopted as defined under the national law;

(iii) the father, mother or guardian when the applicant or refugee is a minor and unmarried;

(j) 'residence document' means any authorisation issued by the authorities of a Member State authorising a third-country national to stay in its territory, including the documents substantiating the authorisation to remain in the territory under temporary protection arrangements or until the circumstances preventing a removal order from being carried out no longer apply, with the exception of visas and residence authorisations issued during the period required to determine the responsible Member State as established in this Regulation or during examination of an application for asylum or an application for a residence permit;

(k) 'visa' means the authorisation or decision of a Member State required for transit or entry for an intended stay in that Member State or in several Member States. The nature of the visa shall be determined in accordance with the following definitions:

(i) 'long-stay visa' means the authorisation or decision of

a Member State required for entry for an intended stay in that Member State of more than three months;

(ii) 'short-stay visa' means the authorisation or decision of a Member State required for entry for an intended stay in that State or in several Member States for a period whose total duration does not exceed three months;

(iii) 'transit visa' means the authorisation or decision of a Member State for entry for transit through the territory of that Member State or several Member States, except for transit at an airport;

(iv) 'airport transit visa' means the authorisation or decision allowing a third-country national specifically subject to this requirement to pass through the transit zone of an airport, without gaining access to the national territory of the Member State concerned, during a stopover or a transfer between two sections of an international flight.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:24 [This Regulation shall be bindi..] (10:1790-10:2039) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

This Regulation shall be binding in its entirety and directly applicable in the Member States in conformity with the Treaty establishing the European Community.

Done at Brussels, 18 February 2003.

For the Council

The President

N. CHRISTODOULAKIS

P31: Ammendment 1 Council Regulation No 453-2003.pdf - 31:14 [THE COUNCIL OF THE EUROPEAN UN..] (1:264-1:3184) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,

Having regard to the proposal from the Commission (

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Having regard to the opinion of the European Parliament (

2

),

Whereas:

(1) Following the European Council held in Seville on 21 and 22 June 2002, which considered as a top priority the review of Regulation (EC) No 539/2001 by the end of 2002 (

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), the Commission has evaluated the Member

States' replies to the questionnaire it sent them in the light of the relevant criteria for the review of Regulation

(EC) No 539/2001, namely illegal immigration, public

policy and security, the European Union's external relations with third countries, regional coherence and reciprocity. It has found that Ecuador should be transferred from Annex II to Annex I to Regulation (EC) No 539/2001 in the light of the illegal immigration criterion.

(2) Developments in international law, entailing changes in the status or designation of certain States or entities, should be reflected in the Annexes to Regulation (EC) No 539/2001. In Annex I to that Regulation, East Timor should be removed from Part 2 (territorial entities) and added to Part 1 (States).

(3) Since the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, on the free movement of persons provides for free movement without visas for nationals of Switzerland and of the Member States, Switzerland should no longer be mentioned in Annex II to Regulation (EC) No 539/2001.

(4) It is clear from the Member States' replies to the questionnaire that an in-depth review of the reciprocity rule is called for, on which the Commission will report at a later date.

(5) The visa requirement for Ecuador should be applied uniformly by the Member States. A date should accordingly be set from which all Member States have to apply the visa requirement,

(6) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded

by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

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which fall within the area referred to in Article 1, point A, of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of that Agreement (

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).

(7) The United Kingdom and Ireland are not taking part in the adoption of this Regulation and are not bound by it or subject to its application.

(8) This Regulation constitutes an act building on the Schengen acquis or otherwise related to it within the meaning of Article 3(1) of the Act of Accession,

HAS ADOPTED THIS REGULATION

P32: Seville European Council.pdf - 32:30 [NATIONAL DECLARATION BY IRELAND..] (28:86-29:751) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

NATIONAL DECLARATION BY IRELAND

1. Ireland reaffirms its attachment to the aims and principles of Charter of the United Nations, which confers primary responsibility for the maintenance of international peace and security upon the United Nations Security Council.
2. Ireland recalls its commitment to the common foreign and security policy of the European Union as set out in the Treaty on European Union, adopted at Maastricht, amended at Amsterdam and approved on each occasion by the Irish people through referendum.
3. Ireland confirms that its participation in the European Union's common foreign and security policy does not prejudice its traditional policy of military neutrality. The Treaty on European Union makes clear that the Union's security and defence policy shall not prejudice the specific character of the security and defence policy of certain Member States.
4. In line with its traditional policy of military neutrality, Ireland is not bound by any mutual

defence commitment. Nor is Ireland party to any plans to develop a European army. Indeed, the Nice European Council recognised that the development of the Union's capacity to conduct humanitarian and crisis management tasks does not involve the establishment of a European army.

5. The Treaty on European Union specifies that any decision by the Union to move to a common defence would have to be taken by unanimous decision of the Member States and adopted in accordance with their respective constitutional requirements. The Government of Ireland have made a firm commitment to the people of Ireland, solemnized in this Declaration, that a referendum will be held in Ireland on the adoption of any such decision and on any future treaty which would involve Ireland departing from its traditional policy of military neutrality. Presidency Conclusions ñ Seville, 21 and 22 June 2002 13463/02 28

EN

6. Ireland reiterates that the participation of contingents of the Irish Defence Forces in overseas operations, including those carried out under the European security and defence policy, requires (a) the authorisation of the operation by the Security Council or the General Assembly of the United Nations, (b) the agreement of the Irish Government and (c) the approval of Dáil Éireann, in accordance with Irish law.

7. The situation set out in this Declaration would be unaffected by the entry into force of the Treaty of Nice. In the event of Ireland's ratification of the Treaty of Nice, this Declaration will be associated with Ireland's instrument of ratification.

P32: Seville European Council.pdf - 32:31 [DECLARATION BY THE EUROPEAN CO..] (30:85-31:540) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]
No memos

DECLARATION BY THE EUROPEAN COUNCIL

1. The European Council takes cognisance of the National Declaration by Ireland presented at its meeting in Seville on 21 and 22 June 2002. It notes that Ireland intends to associate its National Declaration with its act of ratification of the Treaty of Nice, should the people of Ireland decide in a referendum to accept the Treaty of Nice.

2. The European Council notes that the Treaty on European Union provides that any decision to move to a common defence shall be adopted in accordance with the respective constitutional requirements of the Member States.

3. The European Council recalls that under the terms of the Treaty on European Union the policy of the Union shall not prejudice the specific character of the security and defence policy of certain Member States. Ireland has drawn attention, in this regard, to its traditional

policy of military neutrality.

4. The European Council acknowledges that the Treaty on European Union does not impose any binding mutual defence commitments. Nor does the development of the Union's capacity to conduct humanitarian and crisis management tasks involve the establishment of a European army.

5. The European Council confirms that the situation referred to in paragraphs 2, 3 and 4 would be unchanged by the entry into force of the Treaty of Nice. Presidency Conclusions ñ Seville, 21 and 22 June 2002
13463/02 30

EN

6. The European Council recognises that, like all Member States of the Union, Ireland would retain the right, after the entry into force of the Treaty of Nice, to take its own sovereign decision, in accordance with its constitution and its laws, whether to commit military personnel to participate in any operation carried out under the European Security and Defence Policy. Ireland, in its National Declaration, has clearly set out its position in this regard.

P32: Seville European Council.pdf - 32:32 [DECLARATION BY THE EUROPEAN CO..] (32:84-35:1334) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

DECLARATION BY THE EUROPEAN COUNCIL
ON THE CONTRIBUTION OF THE CFSP, INCLUDING THE ESDP,
TO THE FIGHT AGAINST TERRORISM

1. The European Council reaffirms that terrorism is a real challenge for Europe and the world and poses a threat to our security and our stability. To this end, the extraordinary European Council meeting on 21 September 2001 decided to step up the action of the Union against terrorism through a coordinated and inter-disciplinary approach embracing all Union policies, including development of the Common Foreign and Security Policy (CFSP) and making the European Security and Defense Policy (ESDP) operational.

2. The European Council has noted the significant achievements accomplished in the implementation of the Plan of Action to combat terrorism and reiterates that the fight against terrorism will continue to be a priority objective of the European Union and a key plank of its external relations policy. Solidarity and international cooperation constitute essential instruments in the fight against that scourge. The Union will continue to maintain the closest possible coordination with the United States and other partners. The Union will seek to contribute further to those international efforts, both internally and in its relations with third countries and international organisations, such as the UN, NATO and the OSCE.

3. The Common Foreign and Security Policy, including the European Security and Defence Policy, can play an important role in countering this threat to our security and in promoting peace and stability. Closer cooperation among the Member States is being put into practice to take account of the international situation created by the terrorist attacks of 11 September. Presidency Conclusions ñ Seville, 21 and 22 June 2002
13463/02 32

EN

4. The European Council welcomes the progress achieved since 11 September on incorporating the fight against terrorism into all aspects of the Union's external relations policy. The fight against terrorism requires a global approach to strengthen the international coalition and to prevent and contain regional conflicts. The Union is:

- ñ strengthening EU instruments for long-term conflict prevention,
- ñ focusing political dialogue with third countries on the fight against terrorism as well as on non-proliferation and arms control,
- ñ providing assistance to third countries in order to reinforce their capacity to respond effectively to the international threat of terrorism,
- ñ including anti-terrorism clauses in EU agreements with third countries,
- ñ re-evaluating relations with third countries in the light of their attitudes towards terrorism and taking appropriate measures accordingly and
- ñ implementing specific measures in the fight against terrorism in accordance with United Nations Security Council Resolution 1373, which laid down a wide range of comprehensive steps and strategies to combat terrorism, including financial measures.

Presidency Conclusions ñ Seville, 21 and 22 June 2002
13463/02 33

EN

5. The European Council also welcomes the progress achieved in the implementation of the ESDP, following the Declaration on the operational capability of the European Security and Defence Policy. This progress has allowed the Union to take its first decision to establish a crisis management operation ñ the European Union Police Mission in Bosnia and Herzegovina (EUPM). The EUPM is one example of the European Union's commitment to stabilising post-conflict regions and helping to establish the rule of law. By promoting stability, including the strengthening of local law-enforcement capabilities, norms and standards, the European Union helps to deny terrorist organisations the opportunity to take root. As indicated at the Laeken European Council, through the military and civilian capabilities developed by the European Union for crisis management, the CFSP will become stronger and will contribute more effectively to the fight against terrorism for the benefit of the populations concerned.

6. The ESDP will strengthen further as Member States enhance their military and civilian capabilities for crisis management. To this end, the European Council underlines again the

importance it places on the timely achievement of the Headline Goal targets. In this context, development of the ESDP must take fuller account of the capabilities that may be required, in accordance with the Petersberg tasks and the provisions of the Treaty, to combat terrorism.

7. Priority action for the European Union, in the fields of the CFSP and the ESDP in particular, in the fight against terrorism should focus on:

- ñ devoting greater efforts to conflict prevention;

- ñ deepening political dialogue with third countries to promote the fight against terrorism, including the promotion of human rights and democracy as well as non-proliferation

- and arms control, and providing them with appropriate international assistance;

Presidency Conclusions ñ Seville, 21 and 22 June 2002
13463/02 34

EN

- ñ strengthening arrangements for sharing intelligence and developing the production of situation assessments and early warning reports, drawing on the widest range of sources;

- ñ developing our common evaluation of the terrorist threat against the Member States or the forces deployed under the ESDP outside the Union in crisis management operations, including the threat posed by terrorist use of weapons of mass destruction;

- ñ determining military capabilities required to protect forces deployed in European Union-led crisis management operations against terrorist attacks;

- ñ exploring further how military or civilian capabilities could be used to help protect civilian populations against the effects of terrorist attacks.

8. The European Council requests the Presidency and the Secretary-General/High Representative, and the Commission as appropriate, to step up their efforts in these priority areas by promoting coordinating work within Council bodies and with relevant international organisations, notably the UN and NATO, in order to increase the effectiveness of the contribution of the CFSP, including the ESDP, to the fight against terrorism, as well as to report to the General Affairs and External Relations Council on this matter.

P32: Seville European Council.pdf - 32:35 [The European Council met in Se..] (2:77-2:649) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

The European Council met in Seville on 21 and 22 June 2002. The meeting was preceded by an expos  given by the President of the European Parliament, Mr Pat Cox, followed by an exchange of views concerning the main items on the agenda.

The European Council welcomed the considerable momentum that had been given to the dialogue between the Parliament, the Council and the Commission in the new partnership referred to by the conclusions of the Barcelona European Council and welcomed the setting up of the High Level Technical Group for Interinstitutional Cooperation

P32: Seville European Council.pdf - 32:36 [The European Council reaffirms..] (7:78-7:1054) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

The European Council reaffirms that, if the present rate of progress in negotiations and reforms is maintained, the European Union is determined to conclude the negotiations with Cyprus, Malta, Hungary, Poland, the Slovak Republic, Lithuania, Latvia, Estonia, the Czech Republic and Slovenia by the end of 2002, if those countries are ready. The principle of differentiation must be fully complied with until the end of the negotiations. Drafting of the Treaty of Accession should continue so that it can be completed as soon as possible after the conclusion of the accession negotiations. It would seem reasonable to expect it to be possible to sign the Treaty of Accession in spring 2003. The objective remains that these countries should participate in the European Parliament elections in 2004 as full members. However, that common aim can be realised within the timeframe envisaged only if each candidate country adopts a realistic and constructive approach.

P32: Seville European Council.pdf - 32:37 [ASYLUM AND IMMIGRATION 26. The..] (8:836-8:1226) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

ASYLUM AND IMMIGRATION

26. The European Council is determined to speed up the implementation of all aspects of the programme adopted in Tampere for the creation of an area of freedom, security and justice in the European Union. The European Council points here to the need to develop a European Union common policy on the separate, but closely related, issues of asylum and immigration.

P32: Seville European Council.pdf - 32:38 [It is crucial for the European..] (8:1233-8:1856) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

It is crucial for the European Union and its Member States that migration flows should be managed in accordance with the law, in cooperation with the countries of origin and transit of such flows. The European Council therefore welcomes the results achieved over the last six months, in particular the comprehensive plan to combat illegal immigration, the plan for the management of external borders and the Directive laying down minimum standards for the reception of asylum seekers in Member States, and calls on forthcoming Presidencies to continue to give migration issues a special place in their work schedules.

P33: Treaty on the Functioning of the European Union.pdf - 33:19 [PREAMBLE HIS MAJESTY THE KING ..] (3:1-3:1926) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

PREAMBLE

HIS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS, (

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)

DETERMINED to lay the foundations of an ever closer union among the peoples of Europe,
RESOLVED to ensure the economic and social progress of their States by common action to eliminate the barriers which divide Europe,

AFFIRMING as the essential objective of their efforts the constant improvements of the living and working conditions of their peoples,

RECOGNISING that the removal of existing obstacles calls for concerted action in order to guarantee steady expansion, balanced trade and fair competition,

ANXIOUS to strengthen the unity of their economies and to ensure their harmonious development by reducing the differences existing between the various regions and the backwardness of the less favoured regions,

DESIRING to contribute, by means of a common commercial policy, to the progressive abolition of restrictions on international trade,

INTENDING to confirm the solidarity which binds Europe and the overseas countries and desiring to ensure the development of their prosperity, in accordance with the principles of the Charter of the United Nations,

RESOLVED by thus pooling their resources to preserve and strengthen peace and liberty, and calling upon the other peoples of Europe who share their ideal to join in their efforts,

DETERMINED to promote the development of the highest possible level of knowledge for their peoples

through a wide access to education and through its continuous updating,
and to this end HAVE DESIGNATED as their Plenipotentiaries:
(List of plenipotentiaries not reproduced)
WHO, having exchanged their full powers, found in good and due form, have agreed as follows.

P34: Treaty on European Union.pdf - 34:9 [By this Treaty, the HIGH CONTR..] (4:1323-4:1535) (Super)

Codes: [How is the text situated in broader society?] [What messages does the text communicate in terms of institutional and social conventions?]
No memos

By this Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN UNION,
hereinafter called 'the Union', on which the Member States confer competences to attain objectives
they have in common.

P34: Treaty on European Union.pdf - 34:14 [PREAMBLE HIS MAJESTY THE KING ..] (3:1-4:1253) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]
No memos

PREAMBLE

HIS MAJESTY THE KING OF THE BELGIANS, HER MAJESTY THE QUEEN OF DENMARK, THE PRESIDENT OF THE
FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF IRELAND, THE PRESIDENT OF THE HELLENIC REPUBLIC, HIS
MAJESTY THE KING OF SPAIN, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN
REPUBLIC, HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE
NETHERLANDS, THE PRESIDENT OF THE PORTUGUESE REPUBLIC, HER MAJESTY THE QUEEN OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (

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RESOLVED to mark a new stage in the process of European integration undertaken with the estab
lishment of the European Communities,

DRAWING INSPIRATION from the cultural, religious and humanist inheritance of Europe, from which
have developed the universal values of the inviolable and inalienable rights of the human person,
freedom, democracy, equality and the rule of law,

RECALLING the historic importance of the ending of the division of the European continent and the
need to create firm bases for the construction of the future Europe,

CONFIRMING their attachment to the principles of liberty, democracy and respect for human rights
and fundamental freedoms and of the rule of law,

CONFIRMING their attachment to fundamental social rights as defined in the European Social Charter signed at Turin on 18 October 1961 and in the 1989 Community Charter of the Fundamental Social Rights of Workers,

DESIRING to deepen the solidarity between their peoples while respecting their history, their culture and their traditions,

DESIRING to enhance further the democratic and efficient functioning of the institutions so as to enable them better to carry out, within a single institutional framework, the tasks entrusted to them,

RESOLVED to achieve the strengthening and the convergence of their economies and to establish an economic and monetary union including, in accordance with the provisions of this Treaty and of the Treaty on the Functioning of the European Union, a single and stable currency,

DETERMINED to promote economic and social progress for their peoples, taking into account the principle of sustainable development and within the context of the accomplishment of the internal market and of reinforced cohesion and environmental protection, and to implement policies ensuring that advances in economic integration are accompanied by parallel progress in other fields,

26.10.2012 Official EN Journal of the European Union C 326/15

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) The Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland and the Kingdom of Sweden have since become members of the European Union. RESOLVED to establish a citizenship common to nationals of their countries,

RESOLVED to implement a common foreign and security policy including the progressive framing of a common defence policy, which might lead to a common defence in accordance with the provisions of Article 42, thereby reinforcing the European identity and its independence in order to promote peace, security and progress in Europe and in the world,

RESOLVED to facilitate the free movement of persons, while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of this Treaty and of the Treaty on the Functioning of the European Union,

RESOLVED to continue the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizen in accordance with the principle of subsidiarity,

IN VIEW of further steps to be taken in order to advance European integration,

HAVE DECIDED to establish a European Union and to this end have designated as their Plenipotentiaries:

(List of plenipotentiaries not reproduced)

WHO, having exchanged their full powers, found in good and due form, have agreed as follows:

P36: Regulation 767-2008.pdf - 36:19 [THE EUROPEAN PARLIAMENT AND TH..] (1:223-1:566) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(ii) and Article 66 thereof,

Having regard to the proposal from the Commission,

Acting in accordance with the procedure laid down in Article 251

of the Treaty (

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),

Whereas:

P36: Regulation 767-2008.pdf - 36:20 [This Regulation shall be bindi..] (21:729-21:1030) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

This Regulation shall be binding in its entirety and directly applicable in the Member States in
accordance with the Treaty establishing the European Community.

Done at Strasbourg, 9 July 2008.

For the European Parliament

The President

H.-G. PÖTTERING

For the Council

The President

J.-P. JOUYET

P38: Schengen Border Code.pdf - 38:17 [Definitions For the purposes o..] (3:4246-5:314) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Definitions

For the purposes of this Regulation the following definitions shall

apply:

1. 'internal borders' means:

(a) the common land borders, including river and lake borders, of the Member States;

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) OJ L 176, 10.7.1999, p. 36.

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) OJ L 176, 10.7.1999, p. 31.

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) OJ L 176, 10.7.1999, p. 53.

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) Council Decision 2004/849/EC of 25 October 2004 on the signing, on behalf of the European Union, and on the provisional application of certain provisions of the Agreement between the European Union, the European Community and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 368, 15.12.2004, p. 26).

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) Council Decision 2004/860/EC of 25 October 2004 on the signing, on behalf of the European Community, and on the provisional application of certain provisions of the Agreement between the European Union, the European Community and the Swiss Confederation, concerning the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 370, 17.12.2004, p. 78).

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) OJ L 131, 1.6.2000, p. 43.

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) OJ L 64, 7.3.2002, p. 20.

13.4.2006 EN Official Journal of the European Union L 105/3(b) the airports of the Member States for internal flights;

(c) sea, river and lake ports of the Member States for regular ferry connections;

2. 'external borders' means the Member States' land borders,

including river and lake borders, sea borders and their airports, river ports, sea ports and lake ports, provided that they

are not internal borders;

3. 'internal flight' means any flight exclusively to or from the territories of the Member States and not landing in the territory of a third country;

4. 'regular ferry connection' means any ferry connection between the same two or more ports situated in the territory of the Member States, not calling at any ports outside the territory of the Member States and consisting of the transport of passengers and vehicles according to a published timetable;

5. 'persons enjoying the Community right of free movement' means:

(a) Union citizens within the meaning of Article 17(1) of the Treaty, and third-country nationals who are members of the family of a Union citizen exercising his or her right to free movement to whom Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States (1)

) applies;

(b) third-country nationals and their family members, whatever their nationality, who, under agreements between the Community and its Member States, on the one hand, and those third countries, on the other hand, enjoy rights of free movement equivalent to those of Union citizens;

6. 'third-country national' means any person who is not a Union citizen within the meaning of Article 17(1) of the Treaty and who is not covered by point 5 of this Article;

7. 'persons for whom an alert has been issued for the purposes of refusing entry' means any third-country national for whom an alert has been issued in the Schengen Information System (SIS) in accordance with and for the purposes laid down in Article 96 of the Schengen Convention;

8. 'border crossing point' means any crossing-point authorised by the competent authorities for the crossing of external borders;

9. 'border control' means the activity carried out at a border, in accordance with and for the purposes of this Regulation, in response exclusively to an intention to cross or the act of crossing that border, regardless of any other consideration, consisting of border checks and border surveillance;

10. 'border checks' means the checks carried out at border crossing points, to ensure that persons, including their means of transport and the objects in their possession, may be authorised to enter the territory of the Member States or authorised to leave it;

11. 'border surveillance' means the surveillance of borders between border crossing points and the surveillance of border crossing points outside the fixed opening hours, in order to prevent persons from circumventing border checks;

12. 'second line check' means a further check which may be carried out in a special location away from the location at which all persons are checked (first line);

13. 'border guard' means any public official assigned, in accordance with national law, to a border crossing point or along the border or the immediate vicinity of that border who carries out, in accordance with this Regulation and national law, border control tasks;

14. 'carrier' means any natural or legal person whose profession it is to provide transport of persons;

15. 'residence permit' means:

(a) all residence permits issued by the Member States according to the uniform format laid down by Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals (2);

(b) all other documents issued by a Member State to third-country nationals authorising a stay in, or re-entry into, its territory, with the exception of temporary permits issued pending examination of a first application for a residence permit as referred to in point (a) or an application for asylum;

16. 'cruise ship' means a ship which follows a given itinerary in accordance with a predetermined programme, which includes a programme of tourist activities in the various ports, and which normally neither takes passengers on nor allows passengers to disembark during the voyage;

17. 'pleasure boating' means the use of pleasure boats for sporting or tourism purposes;

18. 'coastal fisheries' means fishing carried out with the aid of vessels which return every day or within 36 hours to a port situated in the territory of a Member State without calling at a port situated in a third country;

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) OJ L 158, 30.4.2004, p. 77. (

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) OJ L 157, 15.6.2002, p. 1.

L 105/4 EN Official Journal of the European Union 13.4.200619. 'threat to public health' means any disease with epidemic potential as defined by the International Health Regulations of the World Health Organisation and other infectious diseases or contagious parasitic diseases if they are the subject of protection provisions applying to nationals of the Member States.

P47: BNCfiche BZ visa voor economische groei 2013.pdf - 47:4 [Nieuwe Commissievoorstellen en..] (1:123-1:900) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Nieuwe Commissievoorstellen en initiatieven

van de lidstaten van de Europese Unie

Nr. 1525 BRIEF VAN DE MINISTER VAN BUITENLANDSE ZAKEN

Aan de Voorzitter van de Tweede Kamer der Staten-Generaal

Den Haag, 14 december 2012

Overeenkomstig de bestaande afspraken heb ik de eer u hierbij drie fiches aan te bieden die werden opgesteld door de werkgroep Beoordeling Nieuwe Commissievoorstellen (BNC).

Fiche 1: Mededeling CARS 2020: Actieplan voor een concurrerende en duurzame Europese automobiellindustrie (Kamerstuk 22 112, nr. 1523)

Fiche 2: Wijziging verordening gefluoreerde broeikasgassen (Kamerstuk 22 112, nr. 1524)

Fiche 3: Mededeling visumbeleid als instrument voor economische groei in de EU

De minister van Buitenlandse Zaken,

F.C.G.M. Timmermans

P47: BNCfiche BZ visa voor economische groei 2013.pdf - 47:5 [3. Wat is de Nederlandse grond..] (3:759-3:2570) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

3. Wat is de Nederlandse grondhouding ten aanzien van de bevoegdheidsvaststelling, subsidiariteit en proportionaliteit van deze mededeling en de eventueel daarin aangekondigde concrete wet- en regelgeving? Hoe schat Nederland de financiële gevolgen in, alsmede de gevolgen op het gebied van regeldruk en administratieve lasten?

Bevoegdheid:

De EU is bevoegd maatregelen vast te stellen op het terrein van visa en andere verblijfstitels van korte duur (artikel 77, lid 2 onder a). Dit maakt onderdeel uit van de ruimte van vrijheid, veiligheid en recht, een gedeelde bevoegdheid van de EU en de lidstaten (artikel 4 VWEU).

Subsidiariteit: positief

Nederland heeft een positieve grondhouding t.a.v. subsidiariteit van de mededeling omdat het een beleidsterrein betreft waarbij handelen door de EU als geheel effectiever en efficiënter is dan handelen door de lidstaten afzonderlijk.

Proportionaliteit: positief

De aanbevelingen die de Commissie doet, laten voldoende ruimte voor nationale besluiten en staan inhoudelijk in goede verhouding tot de geformuleerde doelstellingen. De proportionaliteitstoets is positief.

Financiële gevolgen

Voor zover de voornemens van de Commissie binnen bestaande regelgeving vallen, worden geen financiële gevolgen voorzien.

Indien de aangekondigde evaluatie van de Visumcode in een later stadium leidt tot een voorstel voor aanpassing van de regelgeving, kan dat – afhankelijk van de inhoud van dat voorstel – mogelijk wel financiële gevolgen met zich meebrengen. De budgettaire gevolgen worden ingepast op de begroting van het beleidsverantwoordelijke departement, conform de regels van de budgetdiscipline. Eventuele aanpassing van de Visumcode, zou eveneens kunnen leiden tot minder regeldruk en administratieve lasten.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:2 [THE EUROPEAN PARLIAMENT AND TH..] (19:213-19:764) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION ,
Having regard to the Treaty establishing the European Community ☒ on the Functioning of
the European Union (TFEU) ☒ , and in particular Article 62 ☒ 77 ☒ (2)(a) and (b)(ii)
thereof,
Having regard to the proposal from the European Commission,
After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee

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,

Acting in accordance with the ordinary legislative procedure,

Whereas:

P50: Toekomst visie EP visumbeleid.pdf - 50:2 [MOTION FOR A RESOLUTION furthe..] (1:143-1:302) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

MOTION FOR A RESOLUTION

further to Question for Oral Answer B7-0108/2014

pursuant to Rule 115(5) of the Rules of Procedure

on the future of EU visa policy

P50: Toekomst visie EP visumbeleid.pdf - 50:3 [European Parliament resolution..] (2:60-5:768) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

European Parliament resolution on the future of EU visa policy

(2014/2586(RSP))

The European Parliament,

– having regard to the Treaty on the Functioning of the European Union (TFEU), in particular Article 77 thereof,

– having regard to the Commission communication entitled 'Implementation and development of the common visa policy to spur growth in the EU' (COM(2012)0649),

– having regard to the Commission report on the functioning of Local Schengen Cooperation during the first two years of implementation of the Visa Code (COM(2012)0648),

– having regard to the Commission's Seventh report on certain third countries' maintenance of visa requirements in breach of the principle of reciprocity (COM(2012)0681),

– having regard to the recent revisions

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of Council Regulation (EC) No 539/2001 of

15 March 2001 listing the third countries whose nationals must be in possession of visas

when crossing the external borders and those whose nationals are exempt from that requirement

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,

– having regard to the recent visa facilitation agreements with Georgia

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, Ukraine

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Moldova

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, Cape Verde

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, Armenia

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and Azerbaijan

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,

– having regard to the statement by the Commission of [.....],

– having regard to the question to the Commission on the future of EU visa policy (O-000028/2014 – B7-0108/2014),

– having regard to Rules 115(5) and 110(2) of its Rules of Procedure,

A. whereas the common visa policy constitutes a necessary corollary to the lifting of internal border controls within the Schengen area;

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Regulation (EU) No 1091/2010, OJ L 329, 14.12.2010, p. 1; Regulation (EU) No 1211/2010, OJ L 339, 22.12.2010, p. 6; Regulation (EU) No 1289/2013, OJ L 347, 20.12.2013, p. 74; COM(2012)0650; COM(2013)0853.

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OJ L 81, 21.3.2001, p. 1.

3

Council Decision 2011/117/EU, OJ L 52, 25.2.2011, p. 33.

4

Council Decision 2013/297/EU, OJ L 168, 20.6.2013, p. 10.

5

Council Decision 2013/296/EU, OJ L 168, 20.6.2013, p. 1.

6

Council Decision 2013/521/EU, OJ L 282, 24.10.2013, p. 1.

7

Council Decision 2013/628/EU, OJ L 289, 31.10.2013, p. 1.

8

COM(2013)0742. RE\1020888EN.doc 3/5 PE529.553v01-00

EN

B. whereas the main elements of the common visa policy are: the common lists of countries whose citizens are subject to the visa requirement and those whose citizens are exempt from it, as annexed to Regulation 539/01, the common rules on the issuing of visas as contained in the Visa Code, the uniform format for visas, the exchange of information through the Visa Information System, and a series of international agreements with third countries on visa exemption and facilitation;

C. whereas the Treaty of Lisbon provides for the use of the ordinary legislative procedure for all aspects of the common visa policy, and for Parliament's consent for all international agreements on the matter;

D. whereas it is important to initiate reflection and interinstitutional discussion on the future of the common EU visa policy, in particular regarding steps towards further harmonisation of visa procedures, including common rules on the issuing of visas;
General visa policy and review of the Visa Code

1. Welcomes the progress made in the field of the visa acquis, but also calls on the Commission and Member States to improve the implementation of the current visa acquis; calls, especially, for enhanced local Schengen cooperation in order to improve the implementation of the Visa Code in the short term;

2. Believes that in the future steps should be taken towards further harmonisation of visa procedures, including truly common rules on the issuing of visas;

3. Considers that in many third countries the current consular coverage is clearly not satisfactory;

4. Considers that common visa application centres have proven to be a useful tool which could in the future become standard;

5. Regrets the fact that the Commission has not presented a study on the possibility of establishing 'a common European issuing mechanism for short term visas', including an examination of 'to what degree an assessment of individual risk could supplement the presumption of risk associated with the applicant's nationality', as it was invited to do in the Stockholm Programme (point 5.2);

6. Considers that travel by bona fide and frequent travellers should be further facilitated, in particular through more frequent use of multiple-entry visas with a longer duration;

7. Calls on the Member States to make use of the current provisions of the Visa Code and the Schengen Borders Code allowing the issuing of humanitarian visas, and to facilitate the provision of temporary shelter for human rights defenders at risk in third countries;
8. Looks forward to the expected proposal for a review of the Visa Code, but deplores the fact that its adoption has been repeatedly postponed by the Commission;
9. Regrets the fact that the overall evaluation of the Visa Code has still not been presented by the Commission; deplores the Commission's intention to present this evaluation PE529.553v01-00 4/5 RE\1020888EN.doc
EN

together with the proposal for a review of the Visa Code; considers that it would be more appropriate if the Commission presented the evaluation report first and thus allowed the institutions to have a discussion based on it;

Visa facilitation

10. Calls for the conclusion of further visa facilitation agreements, where appropriate, and for the monitoring and improvement of those already in existence;
11. Calls for a systematic evaluation of existing visa facilitation agreements in order to assess whether they achieve their intended objective;

Regulation 539/01

12. Welcomes the recent updates of the lists of third countries whose nationals are or are not subject to a visa requirement, as contained in Regulation 539/01, and in particular the additional exemptions from the visa requirement; recalls the importance of visa-free travel for third countries and in particular their civil societies, but also for the EU's own interests;

13. Welcomes the updating of the visa exemption criteria to include considerations of fundamental rights but also economic benefits, in particular in terms of tourism and foreign trade, and their inclusion in an article of the regulation;

14. Stresses that further visa liberalisation requires more knowledge about the application of the current visa waivers, including through the EU Electronic System for Travel Authorisation (EU-ESTA); calls on the Council and the Commission to ensure that Parliament is more fully informed regarding the situation of third countries under discussion, so as to allow proper democratic scrutiny;

15. Invites the Commission to reflect on how, in the future, changes to the annexes to the regulation and bilateral visa waiver agreements, where considered necessary, could be ensured in parallel, so as to avoid the risk that a modification of the annexes is not followed immediately by the necessary visa waiver agreement;

16. Takes note of the agreement on the suspension mechanism; expects the Member States to trigger this mechanism in good faith and only when the relevant criteria are fulfilled;

17. Considers that full visa reciprocity is an objective which the Union should pursue in a

proactive manner in its relations with third countries, thus helping to improve the credibility and consistency of the Union's external policy at international level;

18. Calls for a debate on the link between further visa liberalisation and the calls being made by certain Member States for increased security measures and stricter border controls for travellers exempt from the visa requirement;

Visa Information System (VIS)

19. Calls on eu-LISA to present the expected VIS evaluation report as soon as possible; RE\1020888EN.doc 5/5 PE529.553v01-00
EN

Involvement of the European Parliament

20. Calls on the Council and the Commission to improve the flow of information to Parliament as regards negotiations for international agreements in the visa field, in accordance with Article 218(10) TFEU and the Framework Agreement on relations between the European Parliament and the European Commission;

21. Announces its intention to set up a contact group on visa policy within the Committee on Civil Liberties, Justice and Home Affairs; invites the Council Presidency and the Member States, along with the Commission, to participate in the meetings of this contact group;

22. Instructs its President to forward this resolution to the Council and the Commission.

P51: Visumbrief tweede kamer okt 2011.pdf - 51:3 [BRIEF VAN DE MINISTERS VAN BUI..] (1:205-1:540) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?]

No memos

BRIEF VAN DE MINISTERS VAN BUITENLANDSE ZAKEN EN VOOR
IMMIGRATIE EN ASIEL

Aan de Voorzitter van de Tweede Kamer der Staten-Generaal

Den Haag, 7 oktober 2011

Graag informeren wij u, mede namens de minister van Veiligheid en
Justitie, over het EU-visumbeleid voor de naaste burens van de Unie.

De minister van Buitenlandse Zaken,

Results for question:

“What are the dominant ways of talking, doing, and being, and how does this perpetuate inequalities and power hierarchies?”

Report: 136 quotation(s) for 1 code

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File: [\\CNAS.RU.NL\s4043227\Documents\Master Thesis Atlas.hpr7](#)
Edited by: Super
Date/Time: 2015-08-25 14:04:45

Mode: quotation list names and references

Quotation-Filter: All

What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?

P 1: Visa Application Form.pdf - 1:11 [I am aware of and consent to t..] (4:322-4:1988) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

I am aware of and consent to the following: the collection of the data required by this application form and the taking of my photograph and, if applicable, the taking of fingerprints, are mandatory for the examination of the visa application; and any personal data concerning me which appear on the visa application form, as well as my fingerprints and my photograph will be supplied to the relevant authorities of the Member States and processed by those authorities, for the purposes of a decision on my visa application.

Such data as well as data concerning the decision taken on my application or a decision whether to annul, revoke or extend a visa issued will be entered into, and stored in the Visa Information System (VIS)

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for a maximum period of five years, during which it will be accessible to the visa authorities and the authorities competent for carrying out checks on visas at external borders and within the Member States, immigration and asylum authorities in the Member States for the purposes of verifying whether the conditions for the legal entry into, stay and residence on the territory of the Member States are fulfilled, of identifying persons who do not or who no longer fulfil these conditions, of examining an asylum application and of determining responsibility for such examination. Under certain conditions the data

will be also available to designated authorities of the Member States and to Europol for the purpose of the prevention, detection and investigation of terrorist offences and of other serious criminal offences. The authority of the Member State responsible for processing the data is: [...)].

P 1: Visa Application Form.pdf - 1:12 [I am aware that I have the rig..] (4:1992-4:3700) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

I am aware that I have the right to obtain in any of the Member States notification of the data relating to me recorded in the VIS and of the Member State which transmitted the data, and to request that data relating to me which are inaccurate be corrected and that data relating to me processed unlawfully be deleted. At my express request, the authority examining my application will inform me of the manner in which I may exercise my right to check the personal data concerning me and have them corrected or deleted, including the related remedies according to the national law of the State concerned. The national supervisory authority of that Member State [contact details] will hear claims concerning the protection of personal data.

I declare that to the best of my knowledge all particulars supplied by me are correct and complete. I am aware that any false statements will lead to my application being rejected or to the annulment of a visa already granted and may also render me liable to prosecution under the law of the Member State which deals with the application.

I undertake to leave the territory of the Member States before the expiry of the visa, if granted. I have been informed that possession of a visa is only one of the prerequisites for entry into the European territory of the Member States. The mere fact that a visa has been granted to me does not mean that I will be entitled to compensation if I fail to comply with the relevant provisions of Article 5(1) of Regulation (EC) No 562/2006 (Schengen Borders Code) and I am therefore refused entry. The prerequisites for entry will be checked again on entry into the European territory of the Member States.

P 2: Regulation No539-2001.pdf - 2:24 [listing the third countries wh..] (1:180-1:349) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

P 2: Regulation No539-2001.pdf - 2:25 [COUNCIL REGULATION (EC) No 539..] (2:1-4:692) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

COUNCIL REGULATION (EC) No 539/2001

of 15 March 2001

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62, point (2)(b)(i) thereof,

Having regard to the proposal from the Commission (

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),

Having regard to the opinion of the European Parliament (

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),

Whereas:

(1) Under Article 62, point (2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

(2) This Regulation follows on from the Schengen acquis in accordance with the Protocol integrating it into the framework of the European Union, hereinafter referred to as the 'Schengen Protocol'. It does not affect Member States' obligations deriving from the acquis as defined in Annex A to Decision 1999/435/EC of 20 May 1999 concerning the definition of the Schengen acquis for the purpose of determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the acquis (

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).

(3) This Regulation constitutes the further development of those

provisions in respect of which closer cooperation has been authorised under the Schengen Protocol and falls within the area referred to in Article 1, point B, of Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

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▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 2

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) OJ C 177 E, 27.6.2000, p. 66.

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) Opinion of 5 July 2000 (not yet published in the Official Journal).

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) OJ L 176, 10.7.1999, p. 1.

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4

) OJ L 176, 10.7.1999, p. 31.(4) Pursuant to Article 1 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and to the Treaty establishing the European Community, Ireland and the United Kingdom are not participating in the adoption of this Regulation. Consequently and without prejudice to Article 4 of the aforementioned Protocol, the provisions of this Regulation apply neither to Ireland nor to the United Kingdom.

(5) The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity. Provision should be made

for a Community mechanism enabling this principle of reciprocity to be implemented if one of the third countries included in Annex II to this Regulation decides to make the nationals of one or more Member States subject to the visa obligation.

(6) As the Agreement on the European Economic Area exempts nationals of Iceland, Liechtenstein and Norway from the visa requirement, these countries are not included in the list in Annex II hereto.

(7) As regards stateless persons and recognised refugees, without prejudice to obligations under international agreements signed by the Member States and in particular the European Agreement on the Abolition of Visas for Refugees, signed at Strasbourg on 20 April 1959, the decision as to the visa requirement or exemption should be based on the third country in which these persons reside and which issued their travel documents. However, given the differences in the national legislation applicable to stateless persons and to recognised refugees, Member States may decide whether these categories of persons shall be subject to the visa requirement, where the third country in which these persons reside and which issued their travel documents is a third country whose nationals are exempt from the visa requirement.

(8) In specific cases where special visa rules are warranted, Member States may exempt certain categories of persons from the visa requirement or impose it on them in accordance with public international law or custom.

(9) With a view to ensuring that the system is administered openly and that the persons concerned are informed, Member States should communicate to the other Member States and to the Commission the measures which they take pursuant to this Regulation. For the same reasons, that information should also be published in the Official Journal of the European Communities.

(10) The conditions governing entry into the territory of the Member States or the issue of visas do not affect the rules currently governing recognition of the validity of travel documents.

▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 3(11) In accordance with the principle of proportionality stated in

Article 5 of the Treaty, enacting a Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders, and those whose nationals are exempt from that requirement, is both a necessary and an appropriate means of ensuring that the common visa rules operate efficiently.

▼M1

(12) This Regulation provides for full harmonisation as regards the third countries whose nationals are subject to the visa requirement for the crossing of Member States' external borders and those whose nationals are exempt from that requirement,
HAS ADOPTED THIS REGULATION:

P 2: Regulation No539-2001.pdf - 2:26 [COUNCIL REGULATION (EC) No 539..] (2:1-4:868) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

COUNCIL REGULATION (EC) No 539/2001
of 15 March 2001

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62, point (2)(b)(i) thereof,

Having regard to the proposal from the Commission (

1

),

Having regard to the opinion of the European Parliament (

2

),

Whereas:

(1) Under Article 62, point (2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession

of visas when crossing the external borders and those whose nationals are exempt from that requirement. Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

(2) This Regulation follows on from the Schengen acquis in accordance with the Protocol integrating it into the framework of the European Union, hereinafter referred to as the 'Schengen Protocol'. It does not affect Member States' obligations deriving from the acquis as defined in Annex A to Decision 1999/435/EC of 20 May 1999 concerning the definition of the Schengen acquis for the purpose of determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the acquis (

3
).

(3) This Regulation constitutes the further development of those provisions in respect of which closer cooperation has been authorised under the Schengen Protocol and falls within the area referred to in Article 1, point B, of Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

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▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 2

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1

) OJ C 177 E, 27.6.2000, p. 66.

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2

) Opinion of 5 July 2000 (not yet published in the Official Journal).

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3

) OJ L 176, 10.7.1999, p. 1.

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4

) OJ L 176, 10.7.1999, p. 31.(4) Pursuant to Article 1 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and to the Treaty establishing the European Community, Ireland and the United Kingdom are not participating in the adoption of this Regulation. Consequently and without prejudice to Article 4 of the aforementioned Protocol, the provisions of this Regulation apply neither to Ireland nor to the United Kingdom.

(5) The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity. Provision should be made for a Community mechanism enabling this principle of reciprocity to be implemented if one of the third countries included in Annex II to this Regulation decides to make the nationals of one or more Member States subject to the visa obligation.

(6) As the Agreement on the European Economic Area exempts nationals of Iceland, Liechtenstein and Norway from the visa requirement, these countries are not included in the list in Annex II hereto.

(7) As regards stateless persons and recognised refugees, without prejudice to obligations under international agreements signed by the Member States and in particular the European Agreement on the Abolition of Visas for Refugees, signed at Strasbourg on 20 April 1959, the decision as to the visa requirement or exemption should be based on the third country in which these persons reside and which issued their travel documents. However, given the differences in the national legislation applicable to stateless persons and to recognised refugees, Member States may decide whether these categories of persons shall be subject to the visa requirement, where the third country

in which these persons reside and which issued their travel documents is a third country whose nationals are exempt from the visa requirement.

(8) In specific cases where special visa rules are warranted, Member States may exempt certain categories of persons from the visa requirement or impose it on them in accordance with public international law or custom.

(9) With a view to ensuring that the system is administered openly and that the persons concerned are informed, Member States should communicate to the other Member States and to the Commission the measures which they take pursuant to this Regulation. For the same reasons, that information should also be published in the Official Journal of the European Communities.

(10) The conditions governing entry into the territory of the Member States or the issue of visas do not affect the rules currently governing recognition of the validity of travel documents.

▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 3(11) In accordance with the principle of proportionality stated in Article 5 of the Treaty, enacting a Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders, and those whose nationals are exempt from that requirement, is both a necessary and an appropriate means of ensuring that the common visa rules operate efficiently.

▼M1

(12) This Regulation provides for full harmonisation as regards the third countries whose nationals are subject to the visa requirement for the crossing of Member States' external borders and those whose nationals are exempt from that requirement,

HAS ADOPTED THIS REGULATION:

Article 1

1. Nationals of third countries on the list in Annex I shall be required to be in possession of a visa when crossing the external borders of the Member States.

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

COUNCIL REGULATION (EC) No 539/2001
of 15 March 2001

listing the third countries whose nationals must be in possession of
visas when crossing the external borders and those whose nationals
are exempt from that requirement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and
in particular Article 62, point (2)(b)(i) thereof,

Having regard to the proposal from the Commission (

1

),

Having regard to the opinion of the European Parliament (

2

),

Whereas:

(1) Under Article 62, point (2)(b) of the Treaty, the Council is to
adopt rules relating to visas for intended stays of no more than
three months, and in that context it is required to determine the
list of those third countries whose nationals must be in possession
of visas when crossing the external borders and those whose
nationals are exempt from that requirement. Article 61 cites
those lists among the flanking measures which are directly
linked to the free movement of persons in an area of freedom,
security and justice.

(2) This Regulation follows on from the Schengen acquis in
accordance with the Protocol integrating it into the framework
of the European Union, hereinafter referred to as the 'Schengen
Protocol'. It does not affect Member States' obligations deriving
from the acquis as defined in Annex A to Decision 1999/435/EC
of 20 May 1999 concerning the definition of the Schengen acquis
for the purpose of determining, in conformity with the relevant
provisions of the Treaty establishing the European Community
and the Treaty on European Union, the legal basis for each of the
provisions or decisions which constitute the acquis (

3

).

(3) This Regulation constitutes the further development of those provisions in respect of which closer cooperation has been authorised under the Schengen Protocol and falls within the area referred to in Article 1, point B, of Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

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▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 2

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1

) OJ C 177 E, 27.6.2000, p. 66.

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2

) Opinion of 5 July 2000 (not yet published in the Official Journal).

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3

) OJ L 176, 10.7.1999, p. 1.

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4

) OJ L 176, 10.7.1999, p. 31.(4) Pursuant to Article 1 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and to the Treaty establishing the European Community, Ireland and the United Kingdom are not participating in the adoption of this Regulation. Consequently and without prejudice to Article 4 of the aforementioned Protocol, the provisions of this Regulation apply neither to Ireland nor to the United Kingdom.

(5) The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia to illegal immigration, public policy

and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity. Provision should be made for a Community mechanism enabling this principle of reciprocity to be implemented if one of the third countries included in Annex II to this Regulation decides to make the nationals of one or more Member States subject to the visa obligation.

(6) As the Agreement on the European Economic Area exempts nationals of Iceland, Liechtenstein and Norway from the visa requirement, these countries are not included in the list in Annex II hereto.

(7) As regards stateless persons and recognised refugees, without prejudice to obligations under international agreements signed by the Member States and in particular the European Agreement on the Abolition of Visas for Refugees, signed at Strasbourg on 20 April 1959, the decision as to the visa requirement or exemption should be based on the third country in which these persons reside and which issued their travel documents. However, given the differences in the national legislation applicable to stateless persons and to recognised refugees, Member States may decide whether these categories of persons shall be subject to the visa requirement, where the third country in which these persons reside and which issued their travel documents is a third country whose nationals are exempt from the visa requirement.

(8) In specific cases where special visa rules are warranted, Member States may exempt certain categories of persons from the visa requirement or impose it on them in accordance with public international law or custom.

(9) With a view to ensuring that the system is administered openly and that the persons concerned are informed, Member States should communicate to the other Member States and to the Commission the measures which they take pursuant to this Regulation. For the same reasons, that information should also be published in the Official Journal of the European Communities.

(10) The conditions governing entry into the territory of the Member States or the issue of visas do not affect the rules currently

governing recognition of the validity of travel documents.

▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 3(11) In accordance with the principle of proportionality stated in Article 5 of the Treaty, enacting a Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders, and those whose nationals are exempt from that requirement, is both a necessary and an appropriate means of ensuring that the common visa rules operate efficiently.

▼M1

(12) This Regulation provides for full harmonisation as regards the third countries whose nationals are subject to the visa requirement for the crossing of Member States' external borders and those whose nationals are exempt from that requirement,

HAS ADOPTED THIS REGULATION:

Article 1

1. Nationals of third countries on the list in Annex I shall be required to be in possession of a visa when crossing the external borders of the Member States.

▼M5

▼C1

Without prejudice to the requirements stemming from the European Agreement on the Abolition of Visas for Refugees signed at Strasbourg on 20 April 1959, recognised refugees and stateless persons shall be required to be in possession of a visa when crossing the external borders of the Member States if the third country in which they are resident and which has issued them with their travel document is a third country listed in Annex I to this Regulation.

▼B

2. ►M1 Nationals of third countries on the list in Annex II shall be exempt from the requirement set out in paragraph 1 for stays of no more than three months in all. ◄

P 2: Regulation No539-2001.pdf - 2:28 [COUNCIL REGULATION (EC) No 539..] (2:1-4:2655) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

COUNCIL REGULATION (EC) No 539/2001

of 15 March 2001

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62, point (2)(b)(i) thereof,

Having regard to the proposal from the Commission (

1

),

Having regard to the opinion of the European Parliament (

2

),

Whereas:

(1) Under Article 62, point (2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

(2) This Regulation follows on from the Schengen acquis in accordance with the Protocol integrating it into the framework of the European Union, hereinafter referred to as the 'Schengen Protocol'. It does not affect Member States' obligations deriving from the acquis as defined in Annex A to Decision 1999/435/EC of 20 May 1999 concerning the definition of the Schengen acquis for the purpose of determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the acquis (

3

).

(3) This Regulation constitutes the further development of those provisions in respect of which closer cooperation has been authorised under the Schengen Protocol and falls within the area referred to in Article 1, point B, of Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

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▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 2

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1

) OJ C 177 E, 27.6.2000, p. 66.

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2

) Opinion of 5 July 2000 (not yet published in the Official Journal).

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) OJ L 176, 10.7.1999, p. 1.

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4

) OJ L 176, 10.7.1999, p. 31.(4) Pursuant to Article 1 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and to the Treaty establishing the European Community, Ireland and the United Kingdom are not participating in the adoption of this Regulation. Consequently and without prejudice to Article 4 of the aforementioned Protocol, the provisions of this Regulation apply neither to Ireland nor to the United Kingdom.

(5) The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications

of regional coherence and reciprocity. Provision should be made for a Community mechanism enabling this principle of reciprocity to be implemented if one of the third countries included in Annex II to this Regulation decides to make the nationals of one or more Member States subject to the visa obligation.

(6) As the Agreement on the European Economic Area exempts nationals of Iceland, Liechtenstein and Norway from the visa requirement, these countries are not included in the list in Annex II hereto.

(7) As regards stateless persons and recognised refugees, without prejudice to obligations under international agreements signed by the Member States and in particular the European Agreement on the Abolition of Visas for Refugees, signed at Strasbourg on 20 April 1959, the decision as to the visa requirement or exemption should be based on the third country in which these persons reside and which issued their travel documents. However, given the differences in the national legislation applicable to stateless persons and to recognised refugees, Member States may decide whether these categories of persons shall be subject to the visa requirement, where the third country in which these persons reside and which issued their travel documents is a third country whose nationals are exempt from the visa requirement.

(8) In specific cases where special visa rules are warranted, Member States may exempt certain categories of persons from the visa requirement or impose it on them in accordance with public international law or custom.

(9) With a view to ensuring that the system is administered openly and that the persons concerned are informed, Member States should communicate to the other Member States and to the Commission the measures which they take pursuant to this Regulation. For the same reasons, that information should also be published in the Official Journal of the European Communities.

(10) The conditions governing entry into the territory of the Member States or the issue of visas do not affect the rules currently governing recognition of the validity of travel documents.

▼B

2001R0539 — EN — 11.01.2011 — 007.001 — 3(11) In accordance with the principle of proportionality stated in Article 5 of the Treaty, enacting a Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders, and those whose nationals are exempt from that requirement, is both a necessary and an appropriate means of ensuring that the common visa rules operate efficiently.

▼M1

(12) This Regulation provides for full harmonisation as regards the third countries whose nationals are subject to the visa requirement for the crossing of Member States' external borders and those whose nationals are exempt from that requirement,

HAS ADOPTED THIS REGULATION:

Article 1

1. Nationals of third countries on the list in Annex I shall be required to be in possession of a visa when crossing the external borders of the Member States.

▼M5

▼C1

Without prejudice to the requirements stemming from the European Agreement on the Abolition of Visas for Refugees signed at Strasbourg on 20 April 1959, recognised refugees and stateless persons shall be required to be in possession of a visa when crossing the external borders of the Member States if the third country in which they are resident and which has issued them with their travel document is a third country listed in Annex I to this Regulation.

▼B

2. ►M1 Nationals of third countries on the list in Annex II shall be exempt from the requirement set out in paragraph 1 for stays of no more than three months in all. ◄

▼M5

▼C1

The following shall also be exempt from the visa requirement:

— the nationals of third countries listed in Annex I to this Regulation who are holders of a local border traffic card issued by the Member States pursuant to Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down

rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention (

1

) when these holders exercise their right within the context of the Local Border Traffic regime;

— school pupils who are nationals of a third country listed in Annex I and who reside in a Member State applying Council Decision 94/795/JHA of 30 November 1994 on a joint action adopted by the Council on the basis of Article K.3.2.b of the Treaty on European Union concerning travel facilities for school pupils from third countries resident in a Member State (

2

) and are travelling in the context of a school excursion as members of a group of school pupils accompanied by a teacher from the school in question;

P 2: Regulation No539-2001.pdf - 2:29 [Where a third country listed i..] (5:515-6:978) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Where a third country listed in Annex II introduces a visa requirement for nationals of a Member State, the following provisions shall apply:

(a) within 90 days of such introduction, or its announcement, the Member State concerned shall notify the Council and the Commission in writing; the notification shall be published in the C series of the Official Journal of the European Union. The notification shall specify the date of implementation of the measure and the type of travel documents and visas concerned.

If the third country decides to lift the visa obligation before the expiry of this deadline, the notification becomes superfluous;

(b) the Commission shall immediately after publication of that notification and in consultation with the Member State concerned, take steps with the authorities of the third country in order to restore visa-free travel;

(c) within 90 days after publication of that notification, the Commission, in consultation with the Member State concerned, shall report to the Council. The report may be accompanied by a proposal providing for the temporary restoration of the visa requirement for nationals of the third country in question. The Commission may also present this proposal after deliberations in Council on its report. The Council shall act on such proposal by a qualified majority within three months;

(d) if it considers it necessary, the Commission may present a proposal for the temporary restoration of the visa requirement for nationals of the third country referred to in subparagraph (c) without a prior report. The procedure provided for in subparagraph (c) shall apply to that proposal. The Member State concerned may state whether it wishes the Commission to refrain from the temporary restoration of such visa requirement without a prior report;

(e) the procedure referred to in subparagraphs (c) and (d) does not affect the Commission's right to present a proposal amending this Regulation in order to transfer the third country concerned to Annex I. Where a temporary measure as referred to in subparagraphs (c) and (d) has been decided, the proposal amending this Regulation shall be presented by the Commission at the latest nine months after the entry into force of the temporary measure. Such a proposal shall also include provisions for lifting of temporary measures, which may have been introduced pursuant to the procedures referred to in subparagraphs (c) and (d). In the meantime the Commission will continue its efforts in order to induce the authorities of the third country in question to reinstall visa-free travel for the nationals of the Member State concerned;

▼C1

2001R0539 — EN — 11.01.2011 — 007.001 — 5(f) where the third country in question abolishes the visa requirement, the Member State shall immediately notify the Council and the Commission to that effect. The notification shall be published in the C series of the Official Journal of the European Union. Any temporary measure decided upon under subparagraph (d) shall terminate seven days after the publication in the Official Journal. In case the third country in question has introduced a visa requirement for nationals of two or more Member States the termi

nation of the temporary measure will only terminate after the last publication.

5. As long as visa exemption reciprocity continues not to exist with any third country listed in Annex II in relation to any of the Member States, the Commission shall report to the European Parliament and the Council before the 1 July of every even-numbered year on the situation of non-reciprocity and shall, if necessary, submit appropriate proposals.

P 2: Regulation No539-2001.pdf - 2:30 [Article 4 1. A Member State ma..] (6:1439-7:1173) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 4

1. A Member State may provide for exceptions from the visa requirement provided for by Article 1(1) or from the exemption from the visa requirement provided for by Article 1(2) as regards:

▼M5

▼C1

(a) holders of diplomatic passports, service/official passports or special passports in accordance with one of the procedures laid down in Articles 1(1) and 2(1) of Regulation (EC) No 789/2001 of 24 April 2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications (

1

).

▼B

(b) civilian air and sea crew;

(c) the flight crew and attendants on emergency or rescue flights and other helpers in the event of disaster or accident;

(d) the civilian crew of ships navigating in international waters;

▼M3

2001R0539 — EN — 11.01.2011 — 007.001 — 6

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) OJ L 116, 26.4.2001, p. 2. Regulation as amended by Decision 2004/927/EC (OJ L 396, 31.12.2004, p. 45).(e) the holders of laissez-passer issued by some intergovernmental international organisations to their officials.

▼M5

▼C1

2. A Member State may exempt from the visa requirement:

- (a) a school pupil having the nationality of a third country listed in Annex I who resides in a third country listed in Annex II or in Switzerland and Liechtenstein and is travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question;
- (b) recognised refugees and stateless persons if the third country where they reside and which issued their travel document is one of the third countries listed in Annex II;
- (c) members of the armed forces travelling on NATO or Partnership for Peace business and holders of identification and movement orders provided for by the Agreement of 19 June 1951 between the Parties to the North Atlantic Treaty Organisation regarding the status of their forces.

▼B

3. A Member State may provide for exceptions from the exemption from the visa requirement provided for in Article 1(2) as regards persons carrying out a paid activity during their stay.

P 2: Regulation No539-2001.pdf - 2:31 [2. A Member State may exempt f..] (7:131-7:978) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

2. A Member State may exempt from the visa requirement:

- (a) a school pupil having the nationality of a third country listed in Annex I who resides in a third country listed in Annex II or in Switzerland and Liechtenstein and is travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question;
- (b) recognised refugees and stateless persons if the third country where

they reside and which issued their travel document is one of the third countries listed in Annex II;
(c) members of the armed forces travelling on NATO or Partnership for Peace business and holders of identification and movement orders provided for by the Agreement of 19 June 1951 between the Parties to the North Atlantic Treaty Organisation regarding the status of their forces.

P 2: Regulation No539-2001.pdf - 2:32 [Article 6 This Regulation shall..] (7:1677-7:1892) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

Article 6

This Regulation shall not affect the competence of Member States with regard to the recognition of States and territorial units and passports, travel and identity documents issued by their authorities.

P 4: EU Visa Code, consolidated version.pdf - 4:3 [When a Member State hosts the ..] (5:1851-5:2025) (Super)

Codes: [How is the text situated in broader society?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

When a Member State hosts the Olympic Games and the Paralympic Games, a particular scheme facilitating the issuing of visas to members of the Olympic family should apply.

P 4: EU Visa Code, consolidated version.pdf - 4:10 [In accordance with Articles 1 ..] (6:6-6:3202) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]
No memos

In accordance with Articles 1 and 2 of the Protocol on the Position of 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 Regulation and is not bound by it, or subject to its application. Given that

this Regulation builds on the Schengen acquis under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark shall, in accordance with Article 5 of that Protocol, decide within a period of six months after the date of adoption of this Regulation whether it will implement it in its national law.

(32) As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Agreement concluded between the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

1

) which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC (

2

) on certain arrangements for the application of that Agreement.

(33) An arrangement should be made to allow representatives of Iceland and Norway to be associated with the work of committees assisting the Commission in the exercise of its implementing powers under this Regulation. Such an arrangement has been contemplated in the Exchange of Letters between the Council of the European Union and Iceland and Norway concerning committees which assist the European Commission in the exercise of its executive powers (

3

), annexed to the above mentioned Agreement. The Commission has submitted to the Council a draft recommendation with a view to negotiating this arrangement.

(34) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and

development of the Schengen acquis (

4

), which fall within the

area referred to in Article 1, point B, of Decision 1999/437/EC

read in conjunction with Article 3 of Council Decision

2008/146/EC (

5

) on the conclusion of that Agreement.

(35) As regards Liechtenstein, this Regulation constitutes a devel

opment of provisions of the Schengen acquis within the

meaning of the Protocol signed between the European Union,

the European Community, the Swiss Confederation and the Prin

cipality of Liechtenstein on the accession of the Principality of

Liechtenstein to the Agreement concluded between the European

Union, the European Community and the Swiss Confederation on

the Swiss Confederation's association with the implementation,

application and development of the Schengen acquis, which fall

within the area referred to in Article 1, point B, of Decision

1999/437/EC read in conjunction with Article 3 of Council

Decision 2008/261/EC (

6

) on the signing of that Protocol.

P 4: EU Visa Code, consolidated version.pdf - 4:14 [Member State competent for exa..] (10:1006-11:463) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Member State competent for examining and deciding on an
application

1. The Member State competent for examining and deciding on an
application for a uniform visa shall be:

(a) the Member State whose territory constitutes the sole destination of
the visit(s);

(b) if the visit includes more than one destination, the Member State
whose territory constitutes the main destination of the visit(s) in

terms of the length or purpose of stay; or

(c) if no main destination can be determined, the Member State whose external border the applicant intends to cross in order to enter the territory of the Member States.

2. The Member State competent for examining and deciding on an application for a uniform visa for the purpose of transit shall be:

(a) in the case of transit through only one Member State, the Member State concerned; or

(b) in the case of transit through several Member States, the Member State whose external border the applicant intends to cross to start the transit.

3. The Member State competent for examining and deciding on an application for an airport transit visa shall be:

(a) in the case of a single airport transit, the Member State on whose territory the transit airport is situated; or

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2009R0810 — EN — 20.03.2012 — 002.001 — 10(b) in the case of double or multiple airport transit, the Member State on whose territory the first transit airport is situated.

4. Member States shall cooperate to prevent a situation in which an application cannot be examined and decided on because the Member State that is competent in accordance with paragraphs 1 to 3 is neither present nor represented in the third country where the applicant lodges the application in accordance with Article 6.

P 4: EU Visa Code, consolidated version.pdf - 4:39 [Member States should be presen..] (2:1718-2:2141) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Member States should be present or represented for visa purposes in all third countries whose nationals are subject to visa requirements. Member States lacking their own consulate in a given third country or in a certain part of a given third country should endeavour to conclude representation arrangements in order to avoid a disproportionate effort on the part of visa applicants to have access to consulates.

P 4: EU Visa Code, consolidated version.pdf - 4:40 [It is necessary to set out rul..] (3:5-3:530) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

It is necessary to set out rules on the transit through international areas of airports in order to combat illegal immigration. Thus nationals from a common list of third countries should be required to hold airport transit visas. Nevertheless, in urgent cases of mass influx of illegal immigrants, Member States should be allowed to impose such a requirement on nationals of third countries other than those listed in the common list. Member States' individual decisions should be reviewed on an annual basis.

P 4: EU Visa Code, consolidated version.pdf - 4:41 [The reception arrangements for..] (3:537-3:774) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

The reception arrangements for applicants should be made with due respect for human dignity. Processing of visa applications should be conducted in a professional and respectful manner and be proportionate to the objectives pursued.

P 4: EU Visa Code, consolidated version.pdf - 4:42 [Member States should ensure th..] (3:781-3:1187) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Member States should ensure that the quality of the service offered to the public is of a high standard and follows good administrative practices. They should allocate appropriate numbers of trained staff as well as sufficient resources in order to facilitate as much as possible the visa application process.

Member States should ensure that a 'one-stop' principle is applied to all applicants.

P 4: EU Visa Code, consolidated version.pdf - 4:43 [In order to facilitate the pro..] (4:6-4:527) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

In order to facilitate the procedure, several forms of cooperation should be envisaged, such as limited representation, co-location, common application centres, recourse to honorary consuls and cooperation with external service providers, taking into account in particular data protection requirements set out in Directive 95/46/EC. Member States should, in accordance with the conditions laid down in this Regulation, determine the type of organisational structure which they will use in each third country.

P 4: EU Visa Code, consolidated version.pdf - 4:44 [It is necessary to make provis..] (4:535-4:1334) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

It is necessary to make provision for situations in which a Member State decides to cooperate with an external service provider for the collection of applications. Such a decision may be taken if, in particular circumstances or for reasons relating to the local situation, cooperation with other Member States in the form of representation, limited representation, co-location or a Common Application Centre proves not to be appropriate for the Member State concerned. Such arrangements should be established in compliance with the general principles for issuing visas and with the data protection requirements set out in Directive 95/46/EC. In addition, the need to avoid visa shopping should be taken into consideration when establishing and implementing such arrangements.

P 4: EU Visa Code, consolidated version.pdf - 4:45 [Article 3 Third-country nation..] (9:33-9:1507) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

Article 3

Third-country nationals required to hold an airport transit visa

1. Nationals of the third countries listed in Annex IV shall be required to hold an airport transit visa when passing through the international transit areas of airports situated on the territory of the Member States.

2. In urgent cases of mass influx of illegal immigrants, individual Member States may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on their territory. Member States shall notify the Commission of such decisions before their entry into force and of withdrawals of such an airport transit visa requirement.

3. Within the framework of the Committee referred to in Article 52(1), those notifications shall be reviewed on an annual basis for the purpose of transferring the third country concerned to the list set out in Annex IV.

4. If the third country is not transferred to the list set out in Annex IV, the Member State concerned may maintain, provided that the conditions in paragraph 2 are met, or withdraw the airport transit visa requirement.

5. The following categories of persons shall be exempt from the requirement to hold an airport transit visa provided for in paragraphs 1 and 2:

(a) holders of a valid uniform visa, national long-stay visa or residence permit issued by a Member State;

P 4: EU Visa Code, consolidated version.pdf - 4:46 [third-country nationals holdin..] (9:1519-9:2408) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

third-country nationals holding a valid residence permit issued by a Member State which does not take part in the adoption of this Regulation or by a Member State which does not yet apply the

provisions of the Schengen acquis in full, or third-country nationals holding one of the valid residence permits listed in Annex V issued by Andorra, Canada, Japan, San Marino or the United States of America guaranteeing the holder's unconditional readmission;

(c) third-country nationals holding a valid visa for a Member State which does not take part in the adoption of this Regulation, for a Member State which does not yet apply the provisions of the Schengen acquis in full, or for Canada, Japan or the United States of America, when travelling to the issuing country or to any other third country, or when, having used the visa, returning from the issuing country;

P 4: EU Visa Code, consolidated version.pdf - 4:47 [This Regulation establishes th..] (7:1293-7:2803) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

This Regulation establishes the procedures and conditions for issuing visas for transit through or intended stays in the territory of the Member States not exceeding three months in any six-month period.

2. The provisions of this Regulation shall apply to any third-country national who must be in possession of a visa when crossing the external borders of the Member States pursuant to Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (

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), without

prejudice to:

(a) the rights of free movement enjoyed by third-country nationals who are family members of citizens of the Union;

(b) the equivalent rights enjoyed by third-country nationals and their family members, who, under agreements between the Community and its Member States, on the one hand, and these third countries, on the other, enjoy rights of free movement equivalent to those of Union citizens and members of their families.

3. This Regulation also lists the third countries whose nationals are required to hold an airport transit visa by way of exception from the principle of free transit laid down in Annex 9 to the Chicago Convention on International Civil Aviation, and establishes the procedures and conditions for issuing visas for the purpose of transit through the international transit areas of Member States' airports.

P 4: EU Visa Code, consolidated version.pdf - 4:48 [Member States lacking their ow..] (12:650-12:826) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Member States lacking their own consulate in a third country shall endeavour to conclude representation arrangements with Member States that have consulates in that country.

P 4: EU Visa Code, consolidated version.pdf - 4:49 [1. Applications shall be lodge..] (12:2275-13:218) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

1. Applications shall be lodged no more than three months before the start of the intended visit. Holders of a multiple-entry visa may lodge the application before the expiry of the visa valid for a period of at least six months.
2. Applicants may be 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.
3. In justified cases of urgency, the consulate may allow applicants to lodge their applications either without appointment, or an appointment shall be given immediately.

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2009R0810 — EN — 20.03.2012 — 002.001 — 124. Applications may be lodged at the consulate by the applicant or by accredited commercial intermediaries, as provided for in Article 45(1), without prejudice to Article 13, or in accordance with Article 42 or 43.

P 4: EU Visa Code, consolidated version.pdf - 4:50 [1. Without prejudice to the pr..] (13:275-13:1348) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

1. Without prejudice to the provisions of Articles 13, 42, 43 and 45, applicants shall appear in person when lodging an application.
2. Consulates may waive the requirement referred to in paragraph 1 when the applicant is known to them for his integrity and reliability.
3. When lodging the application, the applicant shall:
 - (a) present an application form in accordance with Article 11;
 - (b) present a travel document in accordance with Article 12;
 - (c) present a photograph in accordance with the standards set out in Regulation (EC) No 1683/95 or, where the VIS is operational pursuant to Article 48 of the VIS Regulation, in accordance with the standards set out in Article 13 of this Regulation;
 - (d) allow the collection of his fingerprints in accordance with Article 13, where applicable;
 - (e) pay the visa fee in accordance with Article 16;
 - (f) provide supporting documents in accordance with Article 14 and Annex II;
 - (g) where applicable, produce proof of possession of adequate and valid travel medical insurance in accordance with Article 15.

P 4: EU Visa Code, consolidated version.pdf - 4:51 [Article 11 Application form 1...] (13:1351-14:653) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 11

Application form

1. Each applicant shall submit a completed and signed application form, as set out in Annex I. Persons included in the applicant's travel document shall submit a separate application form. Minors shall submit an application form signed by a person exercising permanent or temporary parental authority or legal guardianship.
2. Consulates shall make the application form widely available and easily accessible to applicants free of charge.
3. The form shall be available in the following languages:

- (a) the official language(s) of the Member State for which a visa is requested;
- (b) the official language(s) of the host country;
- (c) the official language(s) of the host country and the official language(s) of the Member State for which a visa is requested; or
- (d) in case of representation, the official language(s) of the representing Member State.

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2009R0810 — EN — 20.03.2012 — 002.001 — 13In addition to the language(s) referred to in point (a), the form may be made available in another official language of the institutions of the European Union.

4. If the application form is not available in the official language(s) of the host country, a translation of it into that/those language(s) shall be made available separately to applicants.

5. A translation of the application form into the official language(s) of the host country shall be produced under local Schengen cooperation provided for in Article 48.

6. The consulate shall inform applicants of the language(s) which may be used when filling in the application form.

P 4: EU Visa Code, consolidated version.pdf - 4:52 [Article 12 Travel document The..] (14:656-14:1211) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 12

Travel document

The applicant shall present a valid travel document satisfying the following criteria:

- (a) its validity shall extend at least three months after the intended date of departure from the territory of the Member States or, in the case of several visits, after the last intended date of departure from the territory of the Member States. However, in a justified case of emergency, this obligation may be waived;
- (b) it shall contain at least two blank pages;
- (c) it shall have been issued within the previous 10 years.

P 4: EU Visa Code, consolidated version.pdf - 4:53 [Article 13 Biometric identifie..] (14:1214-15:2697) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 13

Biometric identifiers

1. Member States shall collect biometric identifiers of the applicant comprising a photograph of him and his 10 fingerprints in accordance with the safeguards laid down in the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms, in the Charter of Fundamental Rights of the European Union and in the United Nations Convention on the Rights of the Child.

2. At the time of submission of the first application, the applicant shall be required to appear in person. At that time, the following biometric identifiers of the applicant shall be collected:

- a photograph, scanned or taken at the time of application, and
- his 10 fingerprints taken flat and collected digitally.

3. Where fingerprints collected from the applicant as part of an earlier application were entered in the VIS for the first time less than 59 months before the date of the new application, they shall be copied to the subsequent application.

However, where there is reasonable doubt regarding the identity of the applicant, the consulate shall collect fingerprints within the period specified in the first subparagraph.

Furthermore, if at the time when the application is lodged, it cannot be immediately confirmed that the fingerprints were collected within the period specified in the first subparagraph, the applicant may request that they be collected.

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2009R0810 — EN — 20.03.2012 — 002.001 — 144. In accordance with Article 9(5) of the VIS Regulation, the photograph attached to each application shall be entered in the VIS.

The applicant shall not be required to appear in person for this purpose.

The technical requirements for the photograph shall be in accordance with the international standards as set out in the International Civil Aviation Organization (ICAO) document 9303 Part 1, 6th edition.

5. Fingerprints shall be taken in accordance with ICAO standards and

Commission Decision 2006/648/EC of 22 September 2006 laying down the technical specifications on the standards for biometric features related to the development of the Visa Information System (

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6. The biometric identifiers shall be collected by qualified and duly authorised staff of the authorities competent in accordance with Article 4(1), (2) and (3). Under the supervision of the consulates, the biometric identifiers may also be collected by qualified and duly authorised staff of an honorary consul as referred to in Article 42 or of an external service provider as referred to in Article 43. The Member State(s) concerned shall, where there is any doubt, provide for the possibility of verifying at the consulate fingerprints which have been taken by the external service provider.

7. The following applicants shall be exempt from the requirement to give fingerprints:

(a) children under the age of 12;

(b) persons for whom fingerprinting is physically impossible. If the fingerprinting of fewer than 10 fingers is possible, the maximum number of fingerprints shall be taken. However, should the impossibility be temporary, the applicant shall be required to give the fingerprints at the following application. The authorities competent in accordance with Article 4(1), (2) and (3) shall be entitled to ask for further clarification of the grounds for the temporary impossibility. Member States shall ensure that appropriate procedures guaranteeing the dignity of the applicant are in place in the event of there being difficulties in enrolling;

(c) heads of State or government and members of a national government with accompanying spouses, and the members of their official delegation when they are invited by Member States' governments or by international organisations for an official purpose;

(d) sovereigns and other senior members of a royal family, when they are invited by Member States' governments or by international organisations for an official purpose.

8. In the cases referred to in paragraph 7, the entry 'not applicable' shall be introduced in the VIS in accordance with Article 8(5) of the

VIS Regulation.

P 4: EU Visa Code, consolidated version.pdf - 4:54 [Article 14 Supporting document..] (15:2700-16:2682) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 14

Supporting documents

1. When applying for a uniform visa, the applicant shall present:

(a) documents indicating the purpose of the journey;

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) OJ L 267, 27.9.2006, p. 41.(b) documents in relation to accommodation, or proof of sufficient means to cover his accommodation;

(c) documents indicating that the applicant possesses sufficient means of subsistence both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or that he is in a position to acquire such means lawfully, in accordance with Article 5(1)(c) and (3) of the Schengen Borders Code;

(d) information enabling an assessment of the applicant's intention to leave the territory of the Member States before the expiry of the visa applied for.

2. When applying for an airport transit visa, the applicant shall present:

(a) documents in relation to the onward journey to the final destination after the intended airport transit;

(b) information enabling an assessment of the applicant's intention not to enter the territory of the Member States.

3. A non-exhaustive list of supporting documents which the consulate may request from the applicant in order to verify the fulfilment of the conditions listed in paragraphs 1 and 2 is set out in Annex II.

4. Member States may require applicants to present a proof of spon

sorship and/or private accommodation by completing a form drawn up by each Member State. That form shall indicate in particular:

- (a) whether its purpose is proof of sponsorship and/or of accommodation;
- (b) whether the host is an individual, a company or an organisation;
- (c) the host's identity and contact details;
- (d) the invited applicant(s);
- (e) the address of the accommodation;
- (f) the length and purpose of the stay;
- (g) possible family ties with the host.

In addition to the Member State's official language(s), the form shall be drawn up in at least one other official language of the institutions of the European Union. The form shall provide the person signing it with the information required pursuant to Article 37(1) of the VIS Regulation. A specimen of the form shall be notified to the Commission.

5. Within local Schengen cooperation the need to complete and harmonise the lists of supporting documents shall be assessed in each jurisdiction in order to take account of local circumstances.

6. Consulates may waive one or more of the requirements of paragraph 1 in the case of an applicant known to them for his integrity and reliability, in particular the lawful use of previous visas, if there is no doubt that he will fulfil the requirements of Article 5(1) of the Schengen Borders Code at the time of the crossing of the external borders of the Member States.

P 4: EU Visa Code, consolidated version.pdf - 4:55 [Article 15 Travel medical insu..] (17:1-17:2246) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 15

Travel medical insurance

1. Applicants for a uniform visa for one or two entries shall prove that they are in possession of adequate and valid travel medical insurance to cover any expenses which might arise in connection with repatriation for medical reasons, urgent medical attention and/or emergency hospital treatment or death, during their stay(s) on the

territory of the Member States.

2. Applicants for a uniform visa for more than two entries (multiple entries) shall prove that they are in possession of adequate and valid travel medical insurance covering the period of their first intended visit.

In addition, such applicants shall sign the statement, set out in the application form, declaring that they are aware of the need to be in possession of travel medical insurance for subsequent stays.

3. The insurance shall be valid throughout the territory of the Member States and cover the entire period of the person's intended stay or transit. The minimum coverage shall be EUR 30 000.

When a visa with limited territorial validity covering the territory of more than one Member State is issued, the insurance cover shall be valid at least in the Member States concerned.

4. Applicants shall, in principle, take out insurance in their country of residence. Where this is not possible, they shall seek to obtain insurance in any other country.

When another person takes out insurance in the name of the applicant, the conditions set out in paragraph 3 shall apply.

5. When assessing whether the insurance cover is adequate, consulates shall ascertain whether claims against the insurance company would be recoverable in a Member State.

6. The insurance requirement may be considered to have been met where it is established that an adequate level of insurance may be presumed in the light of the applicant's professional situation. The exemption from presenting proof of travel medical insurance may concern particular professional groups, such as seafarers, who are already covered by travel medical insurance as a result of their professional activities.

7. Holders of diplomatic passports shall be exempt from the requirement to hold travel medical insurance.

P 4: EU Visa Code, consolidated version.pdf - 4:56 [Article 16 Visa fee 1. Applica..] (17:2249-18:2326) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 16

Visa fee

1. Applicants shall pay a visa fee of EUR 60.
2. Children from the age of six years and below the age of 12 years shall pay a visa fee of EUR 35.
3. The visa fee shall be revised regularly in order to reflect the administrative costs.

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2009R0810 — EN — 20.03.2012 — 002.001 — 174. The visa fee shall be waived for applicants belonging to one of the following categories:

- (a) children under six years;
- (b) school pupils, students, postgraduate students and accompanying teachers who undertake stays for the purpose of study or educational training;
- (c) researchers from third countries travelling for the purpose of carrying out scientific research as defined in Recommendation No 2005/761/EC of the European Parliament and of the Council of 28 September 2005 to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the Community for the purpose of carrying out scientific research (
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-);
- (d) representatives of non-profit organisations aged 25 years or less participating in seminars, conferences, sports, cultural or educational events organised by non-profit organisations.

5. The visa fee may be waived for:

- (a) children from the age of six years and below the age of 12 years;
- (b) holders of diplomatic and service passports;
- (c) participants aged 25 years or less in seminars, conferences, sports, cultural or educational events, organised by non-profit organisations.

Within local Schengen cooperation, Member States shall aim to harmonise the application of these exemptions.

6. In individual cases, the amount of the visa fee to be charged may be waived or reduced when to do so serves to promote cultural or sporting interests as well as interests in the field of foreign policy, development policy and other areas of vital public interest or for humanitarian reasons.

7. The visa fee shall be charged in euro, in the national currency of the third country or in the currency usually used in the third country where the application is lodged, and shall not be refundable except in the cases referred to in Articles 18(2) and 19(3).

When charged in a currency other than euro, the amount of the visa fee charged in that currency shall be determined and regularly reviewed in application of the euro foreign exchange reference rate set by the European Central Bank. The amount charged may be rounded up and consulates shall ensure under local Schengen cooperation that they charge similar fees.

8. The applicant shall be given a receipt for the visa fee paid.

P 4: EU Visa Code, consolidated version.pdf - 4:57 [CHAPTER III Examination of and..] (19:784-22:1742) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

CHAPTER III

Examination of and decision on an application

Article 18

Verification of consular competence

1. When an application has been lodged, the consulate shall verify whether it is competent to examine and decide on it in accordance with the provisions of Articles 5 and 6.

2. If the consulate is not competent, it shall, without delay, return the application form and any documents submitted by the applicant, reimburse the visa fee, and indicate which consulate is competent.

Article 19

Admissibility

1. The competent consulate shall verify whether:

— the application has been lodged within the period referred to in

Article 9(1),

— the application contains the items referred to in Article 10(3)(a) to (c),

— the biometric data of the applicant have been collected, and

— the visa fee has been collected.

2. Where the competent consulate finds that the conditions referred

to in paragraph 1 have been fulfilled, the application shall be admissible and the consulate shall:

- follow the procedures described in Article 8 of the VIS Regulation, and
- further examine the application.

Data shall be entered in the VIS only by duly authorised consular staff in accordance with Articles 6(1), 7, 9(5) and 9(6) of the VIS Regulation.

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2009R0810 — EN — 20.03.2012 — 002.001 — 193. Where the competent consulate finds that the conditions referred to in paragraph 1 have not been fulfilled, the application shall be inadmissible and the consulate shall without delay:

- return the application form and any documents submitted by the applicant,
- destroy the collected biometric data,
- reimburse the visa fee, and
- not examine the application.

4. By way of derogation, an application that does not meet the requirements set out in paragraph 1 may be considered admissible on humanitarian grounds or for reasons of national interest.

Article 20

Stamp indicating that an application is admissible

1. When an application is admissible, the competent consulate shall stamp the applicant's travel document. The stamp shall be as set out in the model in Annex III and shall be affixed in accordance with the provisions of that Annex.
2. Diplomatic, service/official and special passports shall not be stamped.
3. The provisions of this Article shall apply to the consulates of the Member States until the date when the VIS becomes fully operational in all regions, in accordance with Article 48 of the VIS Regulation.

Article 21

Verification of entry conditions and risk assessment

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code, and particular consideration shall be given to assessing whether the applicant presents a risk of illegal immigration or a risk to the

security of the Member States and whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for.

2. In respect of each application, the VIS shall be consulted in accordance with Articles 8(2) and 15 of the VIS Regulation. Member States shall ensure that full use is made of all search criteria pursuant to Article 15 of the VIS Regulation in order to avoid false rejections and identifications.

3. While checking whether the applicant fulfils the entry conditions, the consulate shall verify:

(a) that the travel document presented is not false, counterfeit or forged;

(b) the applicant's justification for the purpose and conditions of the intended stay, and that he has sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is in a position to acquire such means lawfully;

(c) whether the applicant is a person for whom an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry;

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2009R0810 — EN — 20.03.2012 — 002.001 — 20(d) that the applicant is not considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where no alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds;

(e) that the applicant is in possession of adequate and valid travel medical insurance, where applicable.

4. The consulate shall, where applicable, verify the length of previous and intended stays in order to verify that the applicant has not exceeded the maximum duration of authorised stay in the territory of the Member States, irrespective of possible stays authorised under a national long-stay visa or a residence permit issued by another Member State.

5. The means of subsistence for the intended stay shall be assessed in accordance with the duration and the purpose of the stay and by

reference to average prices in the Member State(s) concerned for board and lodging in budget accommodation, multiplied by the number of days stayed, on the basis of the reference amounts set by the Member States in accordance with Article 34(1)(c) of the Schengen Borders Code. Proof of sponsorship and/or private accommodation may also constitute evidence of sufficient means of subsistence.

6. In the examination of an application for an airport transit visa, the consulate shall in particular verify:

- (a) that the travel document presented is not false, counterfeit or forged;
- (b) the points of departure and destination of the third-country national concerned and the coherence of the intended itinerary and airport transit;
- (c) proof of the onward journey to the final destination.

7. The examination of an application shall be based notably on the authenticity and reliability of the documents submitted and on the veracity and reliability of the statements made by the applicant.

8. During the examination of an application, consulates may in justified cases call the applicant for an interview and request additional documents.

9. A previous visa refusal shall not lead to an automatic refusal of a new application. A new application shall be assessed on the basis of all available information.

Article 22

Prior consultation of central authorities of other Member States

1. A Member State may require the central authorities of other Member States to consult its central authorities during the examination of applications lodged by nationals of specific third countries or specific categories of such nationals. Such consultation shall not apply to applications for airport transit visas.

2. The central authorities consulted shall reply definitively within seven calendar days after being consulted. The absence of a reply within this deadline shall mean that they have no grounds for objecting to the issuing of the visa.

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2009R0810 — EN — 20.03.2012 — 002.001 — 213. Member States shall notify the Commission of the introduction or withdrawal of the requirement of prior consultation before it becomes applicable. This information shall also be given within local Schengen

cooperation in the jurisdiction concerned.

4. The Commission shall inform Member States of such notifications.

5. From the date of the replacement of the Schengen Consultation Network, as referred to in Article 46 of the VIS Regulation, prior consultation shall be carried out in accordance with Article 16(2) of that Regulation.

Article 23

Decision on the application

1. Applications shall be decided on within 15 calendar days of the date of the lodging of an application which is admissible in accordance with Article 19.

2. That period may be extended up to a maximum of 30 calendar days in individual cases, notably when further scrutiny of the application is needed or in cases of representation where the authorities of the represented Member State are consulted.

3. Exceptionally, when additional documentation is needed in specific cases, the period may be extended up to a maximum of 60 calendar days.

4. Unless the application has been withdrawn, a decision shall be taken to:

(a) issue a uniform visa in accordance with Article 24;

(b) issue a visa with limited territorial validity in accordance with Article 25;

(c) refuse a visa in accordance with Article 32; or

(d) discontinue the examination of the application and transfer it to the relevant authorities of the represented Member State in accordance with Article 8(2).

The fact that fingerprinting is physically impossible, in accordance with Article 13(7)(b), shall not influence the issuing or refusal of a visa.

P 4: EU Visa Code, consolidated version.pdf - 4:58 [CHAPTER IV Issuing of the visa..] (22:1745-27:1289) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

CHAPTER IV

Issuing of the visa

Article 24

Issuing of a uniform visa

1. The period of validity of a visa and the length of the authorised stay shall be based on the examination conducted in accordance with Article 21.

A visa may be issued for one, two or multiple entries. The period of validity shall not exceed five years.

In the case of transit, the length of the authorised stay shall correspond to the time necessary for the purpose of the transit.

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 22 Without prejudice to Article 12(a), the period of validity of the visa shall include an additional 'period of grace' of 15 days.

Member States may decide not to grant such a period of grace for reasons of public policy or because of the international relations of any of the Member States.

2. Without prejudice to Article 12(a), multiple-entry visas shall be issued with a period of validity between six months and five years, where the following conditions are met:

(a) the applicant proves the need or justifies the intention to travel frequently and/or regularly, in particular due to his occupational or family status, such as business persons, civil servants engaged in regular official contacts with Member States and EU institutions, representatives of civil society organisations travelling for the purpose of educational training, seminars and conferences, family members of citizens of the Union, family members of third-country nationals legally residing in Member States and seafarers; and
(b) the applicant proves his integrity and reliability, in particular the lawful use of previous uniform visas or visas with limited territorial validity, his economic situation in the country of origin and his genuine intention to leave the territory of the Member States before the expiry of the visa applied for.

3. The data set out in Article 10(1) of the VIS Regulation shall be entered into the VIS when a decision on issuing such a visa has been taken.

Article 25

Issuing of a visa with limited territorial validity

1. A visa with limited territorial validity shall be issued excep

tionally, in the following cases:

(a) when the Member State concerned considers it necessary on humanitarian grounds, for reasons of national interest or because of international obligations,

(i) to derogate from the principle that the entry conditions laid down in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code must be fulfilled;

(ii) to issue a visa despite an objection by the Member State consulted in accordance with Article 22 to the issuing of a uniform visa; or

(iii) to issue a visa for reasons of urgency, although the prior consultation in accordance with Article 22 has not been carried out;

or

(b) when for reasons deemed justified by the consulate, a new visa is issued for a stay during the same six-month period to an applicant who, over this six-month period, has already used a uniform visa or a visa with limited territorial validity allowing for a stay of three months.

2. A visa with limited territorial validity shall be valid for the territory of the issuing Member State. It may exceptionally be valid for the territory of more than one Member State, subject to the consent of each such Member State.

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 233. If the applicant holds a travel document that is not recognised by one or more, but not all Member States, a visa valid for the territory of the Member States recognising the travel document shall be issued. If the issuing Member State does not recognise the applicant's travel document, the visa issued shall only be valid for that Member State.

4. When a visa with limited territorial validity has been issued in the cases described in paragraph 1(a), the central authorities of the issuing Member State shall circulate the relevant information to the central authorities of the other Member States without delay, by means of the procedure referred to in Article 16(3) of the VIS Regulation.

5. The data set out in Article 10(1) of the VIS Regulation shall be entered into the VIS when a decision on issuing such a visa has been taken.

Article 26

Issuing of an airport transit visa

1. An airport transit visa shall be valid for transiting through the international transit areas of the airports situated on the territory of Member States.
2. Without prejudice to Article 12(a), the period of validity of the visa shall include an additional 'period of grace' of 15 days.
Member States may decide not to grant such a period of grace for reasons of public policy or because of the international relations of any of the Member States.
3. Without prejudice to Article 12(a), multiple airport transit visas may be issued with a period of validity of a maximum six months.
4. The following criteria in particular are relevant for taking the decision to issue multiple airport transit visas:
 - (a) the applicant's need to transit frequently and/or regularly; and
 - (b) the integrity and reliability of the applicant, in particular the lawful use of previous uniform visas, visas with limited territorial validity or airport transit visas, his economic situation in his country of origin and his genuine intention to pursue his onward journey.
5. If the applicant is required to hold an airport transit visa in accordance with the provisions of Article 3(2), the airport transit visa shall be valid only for transiting through the international transit areas of the airports situated on the territory of the Member State(s) concerned.
6. The data set out in Article 10(1) of the VIS Regulation shall be entered into the VIS when a decision on issuing such a visa has been taken.

Article 27

Filling in the visa sticker

1. When the visa sticker is filled in, the mandatory entries set out in Annex VII shall be inserted and the machine-readable zone filled in, as provided for in ICAO document 9303, Part 2.

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 242. Member States may add national entries in the 'comments' section of the visa sticker, which shall not duplicate the mandatory entries in Annex VII.

3. All entries on the visa sticker shall be printed, and no manual changes shall be made to a printed visa sticker.

4. Visa stickers may be filled in manually only in case of technical force majeure. No changes shall be made to a manually filled in visa sticker.

5. When a visa sticker is filled in manually in accordance with paragraph 4 of this Article, this information shall be entered into the VIS in accordance with Article 10(1)(k) of the VIS Regulation.

Article 28

Invalidation of a completed visa sticker

1. If an error is detected on a visa sticker which has not yet been affixed to the travel document, the visa sticker shall be invalidated.
2. If an error is detected after the visa sticker has been affixed to the travel document, the visa sticker shall be invalidated by drawing a cross with indelible ink on the visa sticker and a new visa sticker shall be affixed to a different page.
3. If an error is detected after the relevant data have been introduced into the VIS in accordance with Article 10(1) of the VIS Regulation, the error shall be corrected in accordance with Article 24(1) of that Regulation.

Article 29

Affixing a visa sticker

1. The printed visa sticker containing the data provided for in Article 27 and Annex VII shall be affixed to the travel document in accordance with the provisions set out in Annex VIII.
2. Where the issuing Member State does not recognise the applicant's travel document, the separate sheet for affixing a visa shall be used.
3. When a visa sticker has been affixed to the separate sheet for affixing a visa, this information shall be entered into the VIS in accordance with Article 10(1)(j) of the VIS Regulation.
4. Individual visas issued to persons who are included in the travel document of the applicant shall be affixed to that travel document.
5. Where the travel document in which such persons are included is not recognised by the issuing Member State, the individual stickers shall be affixed to the separate sheets for affixing a visa.

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 25Article 30

Rights derived from an issued visa

Mere possession of a uniform visa or a visa with limited territorial validity shall not confer an automatic right of entry.

Article 31

Information of central authorities of other Member States

1. A Member State may require that its central authorities be informed of visas issued by consulates of other Member States to nationals of specific third countries or to specific categories of such nationals, except in the case of airport transit visas.
2. Member States shall notify the Commission of the introduction or withdrawal of the requirement for such information before it becomes applicable. This information shall also be given within local Schengen cooperation in the jurisdiction concerned.
3. The Commission shall inform Member States of such notifications.
4. From the date referred to in Article 46 of the VIS Regulation, information shall be transmitted in accordance with Article 16(3) of that Regulation.

Article 32

Refusal of a visa

1. Without prejudice to Article 25(1), a visa shall be refused:
 - (a) if the applicant:
 - (i) presents a travel document which is false, counterfeit or forged;
 - (ii) does not provide justification for the purpose and conditions of the intended stay;
 - (iii) does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;
 - (iv) has already stayed for three months during the current six-month period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity;
 - (v) is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;
 - (vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen

Borders Code or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds; or

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 26(vii) does not provide proof of holding adequate and valid travel medical insurance, where applicable;

or

(b) if there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.

2. A decision on refusal and the reasons on which it is based shall be notified to the applicant by means of the standard form set out in Annex VI.

3. Applicants who have been refused a visa shall have the right to appeal. Appeals shall be conducted against the Member State that has taken the final decision on the application and in accordance with the national law of that Member State. Member States shall provide applicants with information regarding the procedure to be followed in the event of an appeal, as specified in Annex VI.

4. In the cases referred to in Article 8(2), the consulate of the representing Member State shall inform the applicant of the decision taken by the represented Member State.

5. Information on a refused visa shall be entered into the VIS in accordance with Article 12 of the VIS Regulation.

CHAPTER V

P 4: EU Visa Code, consolidated version.pdf - 4:59 [CHAPTER V Modification of an i..] (27:1281-28:2563) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

CHAPTER V

Modification of an issued visa

Article 33

Extension

1. The period of validity and/or the duration of stay of an issued visa shall be extended where the competent authority of a Member State considers that a visa holder has provided proof of force majeure or humanitarian reasons preventing him from leaving the territory of the Member States before the 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.
2. The period of validity and/or the duration of stay of an issued visa may be extended if the visa holder provides proof of serious personal reasons justifying the extension of the period of validity or the duration of stay. A fee of EUR 30 shall be charged for such an extension.
3. Unless otherwise decided by the authority extending the visa, the territorial validity of the extended visa shall remain the same as that of the original visa.
4. The authority competent to extend the visa shall be that of the Member State on whose territory the third-country national is present at the moment of applying for an extension.
5. Member States shall notify to the Commission the authorities competent for extending visas.
6. Extension of visas shall take the form of a visa sticker.

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 277. Information on an extended visa shall be entered into the VIS in accordance with Article 14 of the VIS Regulation.

Article 34

Annulment and revocation

1. A visa shall be annulled where it becomes evident that the conditions for issuing it were not met at the time when it was issued, in particular if there are serious grounds for believing that the visa was fraudulently obtained. A visa shall in principle be annulled by the competent authorities of the Member State which issued it. A visa may be annulled by the competent authorities of another Member State, in which case the authorities of the Member State that issued the visa shall be informed of such annulment.
2. A visa shall be revoked where it becomes evident that the conditions for issuing it are no longer met. A visa shall in principle be revoked by the competent authorities of the Member State which

issued it. A visa may be revoked by the competent authorities of another Member State, in which case the authorities of the Member State that issued the visa shall be informed of such revocation.

3. A visa may be revoked at the request of the visa holder. The competent authorities of the Member States that issued the visa shall be informed of such revocation.

4. Failure of the visa holder to produce, at the border, one or more of the supporting documents referred to in Article 14(3), shall not automatically lead to a decision to annul or revoke the visa.

5. If a visa is annulled or revoked, a stamp stating 'ANNULLED' or 'REVOKED' shall be affixed to it and the optically variable feature of the visa sticker, the security feature 'latent image effect' as well as the term 'visa' shall be invalidated by being crossed out.

6. A decision on annulment or revocation of a visa and the reasons on which it is based shall be notified to the applicant by means of the standard form set out in Annex VI.

7. A visa holder whose visa has been annulled or revoked shall have the right to appeal, unless the visa was revoked at his request in accordance with paragraph 3. Appeals shall be conducted against the Member State that has taken the decision on the annulment or revocation and in accordance with the national law of that Member State. Member States shall provide applicants with information regarding the procedure to be followed in the event of an appeal, as specified in Annex VI.

8. Information on an annulled or a revoked visa shall be entered into the VIS in accordance with Article 13 of the VIS Regulation.

P 4: EU Visa Code, consolidated version.pdf - 4:60 [CHAPTER VI Visas issued at the..] (28:2566-30:78) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

CHAPTER VI

Visas issued at the external borders

Article 35

Visas applied for at the external border

1. In exceptional cases, visas may be issued at border crossing points

if the following conditions are satisfied:

- (a) the applicant fulfils the conditions laid down in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code;

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 28(b) the applicant has not been in a position to apply for a visa in advance and submits, if required, supporting documents substantiating unforeseeable and imperative reasons for entry; and (c) the applicant's return to his country of origin or residence or transit through States other than Member States fully implementing the Schengen acquis is assessed as certain.

2. Where a visa is applied for at the external border, the requirement that the applicant be in possession of travel medical insurance may be waived when such travel medical insurance is not available at that border crossing point or for humanitarian reasons.

3. A visa issued at the external border shall be a uniform visa, entitling the holder to stay for a maximum duration of 15 days, depending on the purpose and conditions of the intended stay. In the case of transit, the length of the authorised stay shall correspond to the time necessary for the purpose of the transit.

4. Where the conditions laid down in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code are not fulfilled, the authorities responsible for issuing the visa at the border may issue a visa with limited territorial validity, in accordance with Article 25(1)(a) of this Regulation, for the territory of the issuing Member State only.

5. A third-country national falling within a category of persons for whom prior consultation is required in accordance with Article 22 shall, in principle, not be issued a visa at the external border.

However, a visa with limited territorial validity for the territory of the issuing Member State may be issued at the external border for such persons in exceptional cases, in accordance with Article 25(1)(a).

6. In addition to the reasons for refusing a visa as provided for in Article 32(1) a visa shall be refused at the border crossing point if the conditions referred to in paragraph 1(b) of this Article are not met.

7. The provisions on justification and notification of refusals and the right of appeal set out in Article 32(3) and Annex VI shall apply.

Article 36

Visas issued to seafarers in transit at the external border

1. A seafarer who is required to be in possession of a visa when crossing the external borders of the Member States may be issued with a visa for the purpose of transit at the border where:

(a) he fulfils the conditions set out in Article 35(1); and

(b) he is crossing the border in question in order to embark on, re-embark on or disembark from a ship on which he will work or has worked as a seafarer.

2. Before issuing a visa at the border to a seafarer in transit, the competent national authorities shall comply with the rules set out in Annex IX, Part 1, and make sure that the necessary information concerning the seafarer in question has been exchanged by means of a duly completed form for seafarers in transit, as set out in Annex IX, Part 2.

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 293. This Article shall apply without prejudice to Article 35(3), (4) and (5).

P 4: EU Visa Code, consolidated version.pdf - 4:61 [Article 37 Organisation of vis..] (30:135-30:2606) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 37

Organisation of visa sections

1. Member States shall be responsible for organising the visa sections of their consulates.

In order to prevent any decline in the level of vigilance and to protect staff from being exposed to pressure at local level, rotation schemes for staff dealing directly with applicants shall be set up, where appropriate. Particular attention shall be paid to clear work structures and a distinct allocation/division of responsibilities in relation to the taking of final decisions on applications. Access to consultation of the VIS and the SIS and other confidential information shall be restricted to a limited number of duly authorised staff. Appropriate measures shall be taken to prevent unauthorised access to such databases.

2. The storage and handling of visa stickers shall be subject to adequate security measures to avoid fraud or loss. Each consulate

shall keep an account of its stock of visa stickers and register how each visa sticker has been used.

3. Member States' consulates shall keep archives of applications. Each individual file shall contain the application form, copies of relevant supporting documents, a record of checks made and the reference number of the visa issued, in order for staff to be able to reconstruct, if need be, the background for the decision taken on the application.

Individual application files shall be kept for a minimum of two years from the date of the decision on the application as referred to in Article 23(1).

Article 38

Resources for examining applications and monitoring of consulates

1. Member States shall deploy appropriate staff in sufficient numbers to carry out the tasks relating to the examining of applications, in such a way as to ensure reasonable and harmonised quality of service to the public.

2. Premises shall meet appropriate functional requirements of adequacy and allow for appropriate security measures.

3. Member States' central authorities shall provide adequate training to both expatriate staff and locally employed staff and shall be responsible for providing them with complete, precise and up-to-date information on the relevant Community and national law.

4. Member States' central authorities shall ensure frequent and adequate monitoring of the conduct of examination of applications and take corrective measures when deviations from the provisions of this Regulation are detected.

P 4: EU Visa Code, consolidated version.pdf - 4:62 [Article 39 Conduct of staff 1...] (31:1-31:491) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 39

Conduct of staff

1. Member States' consulates shall ensure that applicants are received courteously.

2. Consular staff shall, in the performance of their duties, fully respect human dignity. Any measures taken shall be proportionate to the objectives pursued by such measures.
3. While performing their tasks, consular staff shall not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

P 4: EU Visa Code, consolidated version.pdf - 4:63 [Article 40 Forms of cooperatio..] (31:494-31:2364) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 40

Forms of cooperation

1. Each Member State shall be responsible for organising the procedures relating to applications. In principle, applications shall be lodged at a consulate of a Member State.
2. Member States shall:
 - (a) equip their consulates and authorities responsible for issuing visas at the borders with the required material for the collection of biometric identifiers, as well as the offices of their honorary consuls, whenever they make use of them, to collect biometric identifiers in accordance with Article 42; and/or
 - (b) cooperate with one or more other Member States, within the framework of local Schengen cooperation or by other appropriate contacts, in the form of limited representation, co-location, or a Common Application Centre in accordance with Article 41.
3. In particular circumstances or for reasons relating to the local situation, such as where:
 - (a) the high number of applicants does not allow the collection of applications and of data to be organised in a timely manner and in decent conditions; or
 - (b) it is not possible to ensure a good territorial coverage of the third country concerned in any other way;and where the forms of cooperation referred to in paragraph 2(b) prove not to be appropriate for the Member State concerned, a Member State may, as a last resort, cooperate with an external service provider in

accordance with Article 43.

4. Without prejudice to the right to call the applicant for a personal interview, as provided for in Article 21(8), the selection of a form of organisation shall not lead to the applicant being required to appear in person at more than one location in order to lodge an application.

5. Member States shall notify to the Commission how they intend to organise the procedures relating to applications in each consular location.

P 4: EU Visa Code, consolidated version.pdf - 4:64 [Article 41 Cooperation between..] (32:1-32:1354) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 41

Cooperation between Member States

1. Where 'co-location' is chosen, staff of the consulates of one or more Member States shall carry out the procedures relating to applications (including the collection of biometric identifiers) addressed to them at the consulate of another Member State and share the equipment of that Member State. The Member States concerned shall agree on the duration of and conditions for the termination of the co-location as well as the proportion of the visa fee to be received by the Member State whose consulate is being used.

2. Where 'Common Application Centres' are established, staff of the consulates of two or more Member States shall be pooled in one building in order for applicants to lodge applications (including biometric identifiers). Applicants shall be directed to the Member State competent for examining and deciding on the application. Member States shall agree on the duration of and conditions for the termination of such cooperation as well as the cost-sharing among the participating Member States. One Member State shall be responsible for contracts in relation to logistics and diplomatic relations with the host country.

3. In the event of termination of cooperation with other Member States, Member States shall assure the continuity of full service.

P 4: EU Visa Code, consolidated version.pdf - 4:65 [Article 38 Resources for exami..] (30:1679-31:491) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 38

Resources for examining applications and monitoring of consulates

1. Member States shall deploy appropriate staff in sufficient numbers to carry out the tasks relating to the examining of applications, in such a way as to ensure reasonable and harmonised quality of service to the public.
2. Premises shall meet appropriate functional requirements of adequacy and allow for appropriate security measures.
3. Member States' central authorities shall provide adequate training to both expatriate staff and locally employed staff and shall be responsible for providing them with complete, precise and up-to-date information on the relevant Community and national law.
4. Member States' central authorities shall ensure frequent and adequate monitoring of the conduct of examination of applications and take corrective measures when deviations from the provisions of this Regulation are detected.

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 30Article 39

Conduct of staff

1. Member States' consulates shall ensure that applicants are received courteously.
2. Consular staff shall, in the performance of their duties, fully respect human dignity. Any measures taken shall be proportionate to the objectives pursued by such measures.
3. While performing their tasks, consular staff shall not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

P 4: EU Visa Code, consolidated version.pdf - 4:66 [Article 40 Forms of cooperatio..] (31:494-34:971) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 40

Forms of cooperation

1. Each Member State shall be responsible for organising the procedures relating to applications. In principle, applications shall be lodged at a consulate of a Member State.
2. Member States shall:
 - (a) equip their consulates and authorities responsible for issuing visas at the borders with the required material for the collection of biometric identifiers, as well as the offices of their honorary consuls, whenever they make use of them, to collect biometric identifiers in accordance with Article 42; and/or
 - (b) cooperate with one or more other Member States, within the framework of local Schengen cooperation or by other appropriate contacts, in the form of limited representation, co-location, or a Common Application Centre in accordance with Article 41.
3. In particular circumstances or for reasons relating to the local situation, such as where:
 - (a) the high number of applicants does not allow the collection of applications and of data to be organised in a timely manner and in decent conditions; or
 - (b) it is not possible to ensure a good territorial coverage of the third country concerned in any other way;and where the forms of cooperation referred to in paragraph 2(b) prove not to be appropriate for the Member State concerned, a Member State may, as a last resort, cooperate with an external service provider in accordance with Article 43.
4. Without prejudice to the right to call the applicant for a personal interview, as provided for in Article 21(8), the selection of a form of organisation shall not lead to the applicant being required to appear in person at more than one location in order to lodge an application.
5. Member States shall notify to the Commission how they intend to organise the procedures relating to applications in each consular location.

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 31Article 41

Cooperation between Member States

1. Where 'co-location' is chosen, staff of the consulates of one or

more Member States shall carry out the procedures relating to applications (including the collection of biometric identifiers) addressed to them at the consulate of another Member State and share the equipment of that Member State. The Member States concerned shall agree on the duration of and conditions for the termination of the co-location as well as the proportion of the visa fee to be received by the Member State whose consulate is being used.

2. Where 'Common Application Centres' are established, staff of the consulates of two or more Member States shall be pooled in one building in order for applicants to lodge applications (including biometric identifiers). Applicants shall be directed to the Member State competent for examining and deciding on the application. Member States shall agree on the duration of and conditions for the termination of such cooperation as well as the cost-sharing among the participating Member States. One Member State shall be responsible for contracts in relation to logistics and diplomatic relations with the host country.

3. In the event of termination of cooperation with other Member States, Member States shall assure the continuity of full service.

Article 42

Recourse to honorary consuls

1. Honorary consuls may also be authorised to perform some or all of the tasks referred to in Article 43(6). Adequate measures shall be taken to ensure security and data protection.

2. Where the honorary consul is not a civil servant of a Member State, the performance of those tasks shall comply with the requirements set out in Annex X, except for the provisions in point D(c) of that Annex.

3. Where the honorary consul is a civil servant of a Member State, the Member State concerned shall ensure that requirements comparable to those which would apply if the tasks were performed by its consulate are applied.

Article 43

Cooperation with external service providers

1. Member States shall endeavour to cooperate with an external service provider together with one or more Member States, without prejudice to public procurement and competition rules.

2. Cooperation with an external service provider shall be based on a legal instrument that shall comply with the requirements set out in Annex X.

3. Member States shall, within the framework of local Schengen cooperation, exchange information about the selection of external service providers and the establishment of the terms and conditions of their respective legal instruments.

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2009R0810 — EN — 20.03.2012 — 002.001 — 324. The examination of applications, interviews (where appropriate), the decision on applications and the printing and affixing of visa stickers shall be carried out only by the consulate.

5. External service providers shall not have access to the VIS under any circumstances. Access to the VIS shall be reserved exclusively to duly authorised staff of consulates.

6. An external service provider may be entrusted with the performance of one or more of the following tasks:

(a) providing general information on visa requirements and application forms;

(b) informing the applicant of the required supporting documents, on the basis of a checklist;

(c) collecting data and applications (including collection of biometric identifiers) and transmitting the application to the consulate;

(d) collecting the visa fee;

(e) managing the appointments for appearance in person at the consulate or at the external service provider;

(f) collecting the travel documents, including a refusal notification if applicable, from the consulate and returning them to the applicant.

7. When selecting an external service provider, the Member State(s) concerned shall scrutinise the solvency and reliability of the company, including the necessary licences, commercial registration, company statutes, bank contracts, and ensure that there is no conflict of interests.

8. The Member State(s) concerned shall ensure that the external service provider selected complies with the terms and conditions assigned to it in the legal instrument referred to in paragraph 2.

9. The Member State(s) concerned shall remain responsible for compliance with data protection rules for the processing of data and shall be supervised in accordance with Article 28 of Directive 95/46/EC.

Cooperation with an external service provider shall not limit or exclude any liability arising under the national law of the Member State(s) concerned for breaches of obligations with regard to the personal data of applicants or the performance of one or more of the tasks referred to in paragraph 6. This provision is without prejudice to any action which may be taken directly against the external service provider under the national law of the third country concerned.

10. The Member State(s) concerned shall provide training to the external service provider, corresponding to the knowledge needed to offer an appropriate service and sufficient information to applicants.

11. The Member State(s) concerned shall closely monitor the implementation of the legal instrument referred to in paragraph 2, including:

(a) the general information on visa requirements and application forms provided by the external service provider to applicants;

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 33(b) all the technical and organisational security measures required to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, in particular where the cooperation involves the transmission of files and data to the consulate of the Member State(s) concerned, and all other unlawful forms of processing personal data;

(c) the collection and transmission of biometric identifiers;

(d) the measures taken to ensure compliance with data protection provisions.

To this end, the consulate(s) of the Member State(s) concerned shall, on a regular basis, carry out spot checks on the premises of the external service provider.

12. In the event of termination of cooperation with an external service provider, Member States shall ensure the continuity of full service.

13. Member States shall provide the Commission with a copy of the legal instrument referred to in paragraph 2.

P 4: EU Visa Code, consolidated version.pdf - 4:67 [Article 44 Encryption and secu..] (34:974-35:446) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 44

Encryption and secure transfer of data

1. In the case of representation arrangements between Member States and cooperation of Member States with an external service provider and recourse to honorary consuls, the represented Member State(s) or the Member State(s) concerned shall ensure that the data are fully encrypted, whether electronically transferred or physically transferred on an electronic storage medium from the authorities of the representing Member State to the authorities of the represented Member State(s) or from the external service provider or from the honorary consul to the authorities of the Member State(s) concerned.

2. In third countries which prohibit encryption of data to be electronically transferred from the authorities of the representing Member State to the authorities of the represented Member State(s) or from the external service provider or from the honorary consul to the authorities of the Member State(s) concerned, the represented Member State(s) or the Member State(s) concerned shall not allow the representing Member State or the external service provider or the honorary consul to transfer data electronically.

In such a case, the represented Member State(s) or the Member State(s) concerned shall ensure that the electronic data are transferred physically in fully encrypted form on an electronic storage medium from the authorities of the representing Member State to the authorities of the represented Member State(s) or from the external service provider or from the honorary consul to the authorities of the Member State(s) concerned by a consular officer of a Member State or, where such a transfer would require disproportionate or unreasonable measures to be taken, in another safe and secure way, for example by using established operators experienced in transporting sensitive documents and data in the third country concerned.

3. In all cases the level of security for the transfer shall be adapted to the sensitive nature of the data.

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 344. The Member States or the Community shall endeavour to reach agreement with the third countries concerned with the aim of lifting the prohibition against encryption of data to be electronically transferred

from the authorities of the representing Member State to the authorities of the represented Member State(s) or from the external service provider or from the honorary consul to the authorities of the Member State(s) concerned.

P 4: EU Visa Code, consolidated version.pdf - 4:68 [Article 45 Member States' coop..] (35:449-35:2386) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 45

Member States' cooperation with commercial intermediaries

1. Member States may cooperate with commercial intermediaries for the lodging of applications, except for the collection of biometric identifiers.
2. Such cooperation shall be based on the granting of an accreditation by Member States' relevant authorities. The accreditation shall, in particular, be based on the verification of the following aspects:
 - (a) the current status of the commercial intermediary: current licence, the commercial register, contracts with banks;
 - (b) existing contracts with commercial partners based in the Member States offering accommodation and other package tour services;
 - (c) contracts with transport companies, which must include an outward journey, as well as a guaranteed and fixed return journey.
3. Accredited commercial intermediaries shall be monitored regularly by spot checks involving personal or telephone interviews with applicants, verification of trips and accommodation, verification that the travel medical insurance provided is adequate and covers individual travellers, and wherever deemed necessary, verification of the documents relating to group return.
4. Within local Schengen cooperation, information shall be exchanged on the performance of the accredited commercial intermediaries concerning irregularities detected and refusal of applications submitted by commercial intermediaries, and on detected forms of travel document fraud and failure to carry out scheduled trips.
5. Within local Schengen cooperation, lists shall be exchanged of commercial intermediaries to which accreditation has been given by

each consulate and from which accreditation has been withdrawn, together with the reasons for any such withdrawal.
Each consulate shall make sure that the public is informed about the list of accredited commercial intermediaries with which it cooperates.

P 4: EU Visa Code, consolidated version.pdf - 4:69 [Article 46 Compilation of stat..] (35:2389-35:2617) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 46

Compilation of statistics

Member States shall compile annual statistics on visas, in accordance with the table set out in Annex XII. These statistics shall be submitted by 1 March for the preceding calendar year.

P 4: EU Visa Code, consolidated version.pdf - 4:70 [Article 47 Information to the ..] (36:1-36:1695) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 47

Information to the general public

1. Member States' central authorities and consulates shall provide the general public with all relevant information in relation to the application for a visa, in particular:

- (a) the criteria, conditions and procedures for applying for a visa;
- (b) the means of obtaining an appointment, if applicable;
- (c) where the application may be submitted (competent consulate, Common Application Centre or external service provider);
- (d) accredited commercial intermediaries;
- (e) the fact that the stamp as provided for in Article 20 has no legal implications;
- (f) the time limits for examining applications provided for in Article 23(1), (2) and (3);
- (g) the third countries whose nationals or specific categories of whose nationals are subject to prior consultation or information;
- (h) that negative decisions on applications must be notified to the

applicant, that such decisions must state the reasons on which they are based and that applicants whose applications are refused have a right to appeal, with information regarding the procedure to be followed in the event of an appeal, including the competent authority, as well as the time limit for lodging an appeal;

(i) that mere possession of a visa does not confer an automatic right of entry and that the holders of visa are requested to present proof that they fulfil the entry conditions at the external border, as provided for in Article 5 of the Schengen Borders Code.

2. The representing and represented Member State shall inform the general public about representation arrangements as referred to in Article 8 before such arrangements enter into force.

P 4: EU Visa Code, consolidated version.pdf - 4:71 [TITLE V LOCAL SCHENGEN COOPERA...] (36:1698-37:2527) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

TITLE V

LOCAL SCHENGEN COOPERATION

Article 48

Local Schengen cooperation between Member States' consulates

1. In order to ensure a harmonised application of the common visa policy taking into account, where appropriate, local circumstances, Member States' consulates and the Commission shall cooperate within each jurisdiction and assess the need to establish in particular:

(a) a harmonised list of supporting documents to be submitted by applicants, taking into account Article 14 and Annex II;

(b) common criteria for examining applications in relation to exemptions from paying the visa fee in accordance with Article 16(5) and matters relating to the translation of the application form in accordance with Article 11(5);

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2009R0810 — EN — 20.03.2012 — 002.001 — 36(c) an exhaustive list of travel documents issued by the host country, which shall be updated regularly.

If in relation to one or more of the points (a) to (c), the assessment within local Schengen cooperation confirms the need for a local

harmonised approach, measures on such an approach shall be adopted pursuant to the procedure referred to in Article 52(2).

2. Within local Schengen cooperation a common information sheet shall be established on uniform visas and visas with limited territorial validity and airport transit visas, namely, the rights that the visa implies and the conditions for applying for it, including, where applicable, the list of supporting documents as referred to in paragraph 1(a).

3. The following information shall be exchanged within local Schengen cooperation:

(a) monthly statistics on uniform visas, visas with limited territorial validity, and airport transit visas issued, as well as the number of visas refused;

(b) with regard to the assessment of migratory and/or security risks, information on:

(i) the socioeconomic structure of the host country;

(ii) sources of information at local level, including social security, health insurance, fiscal registers and entry-exit registrations;

(iii) the use of false, counterfeit or forged documents;

(iv) illegal immigration routes;

(v) refusals;

(c) information on cooperation with transport companies;

(d) information on insurance companies providing adequate travel medical insurance, including verification of the type of coverage and possible excess amount.

4. Local Schengen cooperation meetings to deal specifically with operational issues in relation to the application of the common visa policy shall be organised regularly among Member States and the Commission. These meetings shall be convened within the jurisdiction by the Commission, unless otherwise agreed at the request of the Commission.

Single-topic meetings may be organised and sub-groups set up to study specific issues within local Schengen cooperation.

5. Summary reports of local Schengen cooperation meetings shall be drawn up systematically and circulated locally. The Commission may delegate the drawing up of the reports to a Member State. The consulates of each Member State shall forward the reports to their central authorities.

On the basis of these reports, the Commission shall draw up an annual report within each jurisdiction to be submitted to the European Parliament and the Council.

P 4: EU Visa Code, consolidated version.pdf - 4:72 [TITLE VI FINAL PROVISIONS Arti..] (38:263-38:542) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

TITLE VI

FINAL PROVISIONS

Article 49

Arrangements in relation to the Olympic Games and Paralympic Games

Member States hosting the Olympic Games and Paralympic Games shall apply the specific procedures and conditions facilitating the issuing of visas set out in Annex XI.

P 4: EU Visa Code, consolidated version.pdf - 4:73 [ANNEX XI SPECIFIC PROCEDURES A..] (70:1-73:379) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

ANNEX XI

SPECIFIC PROCEDURES AND CONDITIONS FACILITATING THE
ISSUING OF VISAS TO MEMBERS OF THE OLYMPIC FAMILY
PARTICIPATING IN THE OLYMPIC GAMES AND PARALYMPIC
GAMES

CHAPTER I

Purpose and definitions

Article 1

Purpose

The following specific procedures and conditions facilitate the application for and issuing of visas to members of the Olympic family for the duration of the Olympic and Paralympic Games organised by a Member State.

In addition, the relevant provisions of the Community acquis concerning procedures for applying for and issuing visas shall apply.

Article 2

Definitions

For the purposes of this Regulation:

1. 'Responsible organisations' relate to measures envisaged to facilitate the procedures for applying for and issuing visas for members of the Olympic family taking part in the Olympic and/or Paralympic Games, and they mean the official organisations, in terms of the Olympic Charter, which are entitled to submit lists of members of the Olympic family to the Organising Committee of the Member State hosting the Olympic and Paralympic Games with a view to the issue of accreditation cards for the Games;
2. 'Member of the Olympic family' means any person who is a member of the International Olympic Committee, the International Paralympic Committee, International Federations, the National Olympic and Paralympic Committees, the Organising Committees of the Olympic Games and the national associations, such as athletes, judges/referees, coaches and other sports technicians, medical personnel attached to teams or individual sportsmen/women and media-accredited journalists, senior executives, donors, sponsors or other official invitees, who agree to be guided by the Olympic Charter, act under the control and supreme authority of the International Olympic Committee, are included on the lists of the responsible organisations and are accredited by the Organising Committee of the Member State hosting the Olympic and Paralympic Games as participants in the [year] Olympic and/or Paralympic Games;
3. 'Olympic accreditation cards' which are issued by the Organising Committee of the Member State hosting the Olympic and Paralympic Games in accordance with its national legislation means one of two secure documents, one for the Olympic Games and one for the Paralympic Games, each bearing a photograph of its holder, establishing the identity of the member of the Olympic family and authorising access to the facilities at which competitions are held and to other events scheduled throughout the duration of the Games;
4. 'Duration of the Olympic Games and Paralympic Games' means the period during which the Olympic Games and the period during which the Paralympic Games take place;
5. 'Organising Committee of the Member State hosting the Olympic and Paralympic Games' means the Committee set up on by the hosting Member State in accordance with its national legislation to organise the Olympic and Paralympic Games, which decides on accreditation of members of the Olympic family taking part in those Games;

6. 'Services responsible for issuing visas' means the services designated by the Member State hosting the Olympic Games and Paralympic Games to examine applications and issue visas to members of the Olympic family.

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2009R0810 — EN — 20.03.2012 — 002.001 — 70CHAPTER II

Issuing of visas

Article 3

Conditions

A visa may be issued pursuant to this Regulation only where the person concerned:

- (a) has been designated by one of the responsible organisations and accredited by the Organising Committee of the Member State hosting the Olympic and Paralympic Games as a participant in the Olympic and/or Paralympic Games;
- (b) holds a valid travel document authorising the crossing of the external borders, as referred to in Article 5 of the Schengen Borders Code;
- (c) is not a person for whom an alert has been issued for the purpose of refusing entry;
- (d) is not considered to be a threat to public policy, national security or the international relations of any of the Member States.

Article 4

Filing of the application

1. Where a responsible organisation draws up a list of the persons selected to take part in the Olympic and/or Paralympic Games, it may, together with the application for the issue of an Olympic accreditation card for the persons selected, file a collective application for visas for those persons selected who are required to be in possession of a visa in accordance with Regulation (EC) No 539/2001, except where those persons hold a residence permit issued by a Member State or a residence permit issued by the United Kingdom or Ireland, in accordance with Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States (

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2. A collective application for visas for the persons concerned shall be forwarded at the same time as applications for the issue of an Olympic accreditation card to the Organising Committee of the Member State hosting the Olympic and Paralympic Games in accordance with the procedure established

by it.

3. Individual visa applications shall be submitted for each person taking part in the Olympic and/or Paralympic Games.

4. The Organising Committee of the Member State hosting the Olympic and Paralympic Games shall forward to the services responsible for issuing visas, a collective application for visas as quickly as possible, together with copies of applications for the issue of an Olympic accreditation card for the persons concerned, bearing their full name, nationality, sex and date and place of birth and the number, type and expiry date of their travel document.

Article 5

Examination of the collective application for visas and type of the visa issued

1. The visa shall be issued by the services responsible for issuing visas following an examination designed to ensure that the conditions set out in Article 3 are met.

2. The visa issued shall be a uniform, multiple-entry visa authorising a stay of not more than three months for the duration of the Olympic and/or Paralympic Games.

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) OJ L 158, 30.4.2004, p. 77.3. Where the member of the Olympic family concerned does not meet the conditions set out in point (c) or (d) of Article 3, the services responsible for issuing visas may issue a visa with limited territorial validity in accordance with Article 25 of this Regulation.

Article 6

Form of the visa

1. The visa shall take the form of two numbers entered on the Olympic accreditation card. The first number shall be the visa number. In the case of a uniform visa, that number shall be made up of seven (7) characters comprising six (6) digits preceded by the letter 'C'. In the case of a visa with limited territorial validity, that number shall be made up of eight (8) characters comprising six (6) digits preceded by the letters 'XX' (

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). The second number shall be the number of the travel document of the person concerned.

2. The services responsible for issuing visas shall forward the visa numbers to

the Organising Committee of the Member State hosting the Olympic and Paralympic Games for the purpose of issuing Olympic accreditation cards.

Article 7

Waiver of fees

The examination of visa applications and the issue of visas shall not give rise to any fees being charged by the services responsible for issuing visas.

CHAPTER III

General and final provisions

Article 8

Cancellation of a visa

Where the list of persons put forward as participants in the Olympic and/or Paralympic Games is amended before the Games begin, the responsible organisations shall inform without any delay the Organising Committee of the Member State hosting the Olympic and Paralympic Games thereof so that the Olympic accreditation cards of the persons removed from the list may be revoked. The Organising Committee shall notify the services responsible for issuing visas thereof and shall inform them of the numbers of the visas in question.

The services responsible for issuing visas shall cancel the visas of the persons concerned. They shall immediately inform the authorities responsible for border checks thereof, and the latter shall without delay forward that information to the competent authorities of the other Member States.

Article 9

External border checks

1. The entry checks carried out on members of the Olympic family who have been issued visas in accordance with this Regulation shall, when such members cross the external borders of the Member States, be limited to checking compliance with the conditions set out in Article 3.

2. For the duration of the Olympic and/or Paralympic Games:

(a) entry and exit stamps shall be affixed to the first free page of the travel document of those members of the Olympic family for whom it is necessary to affix such stamps in accordance with Article 10(1) of the Schengen Borders Code. On first entry, the visa number shall be indicated on that same page;

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) Reference to the ISO code of the organising Member State.(b) the conditions for entry provided for in Article 5(1)(c) of the Schengen Borders Code shall be presumed to be fulfilled once a member of the Olympic family has been duly accredited.

3. Paragraph 2 shall apply to members of the Olympic family who are third-country nationals, whether or not they are subject to the visa requirement under Regulation (EC) No 539/2001.

P 5: Uniform Format Visa Sticker.pdf - 5:2 [THE COUNCIL OF THE EUROPEAN UN..] (1:249-1:3035) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, in particular Article 100c (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Article 100c (3) of the Treaty requires the Council to adopt measures relating to a uniform format for visas before 1 January 1996;

Whereas the introduction of a uniform format for visas is an important step towards the harmonization of visa policy; whereas Article 7a of the Treaty stipulates that the internal market shall comprise an area without internal frontiers in which the free movement of persons is ensured in accordance with the provisions of the Treaty; whereas this step is also to be regarded as forming a coherent whole with measures falling within Title VI of the Treaty on European Union;

Whereas it is essential that the uniform format for visas should contain all the necessary information and meet very high technical standards, notably as regards safeguards against counterfeiting and falsification; whereas it must also be suited to use by all the Member States and bear universally recognizable security features which are clearly visible to the naked eye;

Whereas this Regulation only lays down such specifications as are not secret; whereas these specifications need to be supplemented by further specifications which must remain secret in order to prevent counterfeiting and falsification and which may not include personal data or references to such data; whereas powers to adopt further specifications should be conferred on the Commission;

Whereas, to ensure that the information referred to is not made available to more persons than necessary, it is also essential that each Member State should designate not more than

one body having responsibility for printing the uniform format for visas, with Member States remaining free to change the body, if need be; whereas, for security reasons, each Member State must communicate the name of the competent body to the Commission and the other Member States;

Whereas, to be effective, this Regulation should apply to all visas covered by Article 5; whereas Member States should be free also to use the uniform visa format for visas which can be used for purposes other than those covered by Article 5 provided differences visible to the naked eye are incorporated to make confusion with the uniform visa impossible;

Whereas, with regard to the personal data to be entered on the uniform format for visas in accordance with the Annex hereto, compliance should be ensured with Member States' dataprotection provisions as well as with the relevant Community legislation,
HAS ADOPTED THIS REGULATION:

P 7: Visa Reciprocity Mechanism.pdf - 7:12 [THE COUNCIL OF THE EUROPEAN UN..] (1:300-1:575) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (

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Whereas:

P 7: Visa Reciprocity Mechanism.pdf - 7:15 [(1) The mechanism provided for..] (1:578-1:2536) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

(1) The mechanism provided for in Article 1(4) of Council Regulation (EC) No 539/2001 (

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) has proved unsuitable

for dealing with situations of non-reciprocity in which a third country on the list in Annex II to that Regulation,

i.e. a third country whose nationals are exempt from the visa requirement, maintains or introduces a visa requirement for nationals from one or more Member States. Solidarity with the Member States experiencing situations of non-reciprocity requires that the existing mechanism be adapted so as to make it effective.

(2) Given the seriousness of such situations of non-reciprocity, it is essential that they should be notified without fail by the Member State(s) concerned. To ensure that the third country in question again applies visa-free travel to nationals of the Member States concerned, a mechanism should be provided which will combine measures at variable levels and intensities that can be rapidly carried out. Thus the Commission should take steps with the third country without delay, report to the Council and be able at any moment to propose that the Council adopt a provisional decision restoring the visa requirement for nationals of the third country in question. Resorting to such a provisional decision should not make it impossible to transfer the third country in question to Annex I of Regulation (EC) No 539/2001. A temporal link should also be provided between the entry into force of the provisional measure and any proposal to transfer the country to Annex I.

(3) A decision by a third country to introduce or reintroduce visa-free travel for nationals of one or more Member States should automatically terminate the provisional restoration of a visa requirement decided by the Council.

(4) The amended solidarity mechanism aims at achieving full reciprocity in respect of all Member States and creating an effective and accountable mechanism in order to ensure it.

P 8: Visa Facilitation Agreement Albania.pdf - 8:64 [HE EUROPEAN COMMUNITY, hereina..] (1:119-1:2592) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN COMMUNITY,
hereinafter referred to as 'the Community',
and
THE REPUBLIC OF ALBANIA,
hereinafter referred to as 'the Parties',
HAVING REGARD to the Stabilisation and Association Agreement (SAA) between the European Community and the Republic of Albania, which was signed on 12 June 2006
and which currently governs the relations with the Republic of Albania,
REAFFIRMING the intention to cooperate closely within the framework of the existing SAA structures for the liberalisation
of the visa regime between the Republic of Albania and the European Union, in line with the conclusions of the EU-Western
Balkans Summit held in Thessaloniki on 21 June 2003,
DESIRING, as a first concrete step towards the visa-free travel regime, to facilitate people-to-people contacts as an important
condition for the steady development of economic, humanitarian, cultural, scientific and other ties, by facilitating the issuing of visas to citizens of the Republic of Albania,
BEARING IN MIND that, as from 4 August 2000, EU citizens are exempted from the visa requirement when travelling to
the Republic of Albania for a period of time not exceeding 90 days per period of 180 days or transiting through the territory of the Republic of Albania,
RECOGNISING that if the Republic of Albania was to reintroduce the visa requirement for EU citizens, the same facilitations
granted under this agreement to the citizens of the Republic of Albania would automatically, on the basis of reciprocity,
apply to EU citizens,
RECOGNISING that visa facilitation should not lead to illegal migration and paying special attention to security and
readmission,
HAVING REGARD to the entry into force of the agreement between the European Community and the Republic of Albania
on the readmission of persons residing without authorisation,
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 establishing the European Community 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 establishing the European Community and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark,
HAVE AGREED AS FOLLOWS:

P 8: Visa Facilitation Agreement Albania.pdf - 8:65 [Article 1 Purpose and scope of..] (1:2595-2:322) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

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 the Republic of Albania.
2. If the Republic of Albania was to reintroduce the visa requirement for EU citizens or certain categories of EU citizens, the same facilitations granted under this agreement to the citizens of the Republic of Albania would automatically, on the basis of reciprocity, apply to EU citizens concerned.

Article 2

General clause

1. The visa facilitations provided in this Agreement shall apply to citizens of the Republic of Albania 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.

19.12.2007 EN Official Journal of the European Union L 334/852. The national law of the Republic of Albania, 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.

P 8: Visa Facilitation Agreement Albania.pdf - 8:66 [DESIRING, as a first concrete ..] (1:795-1:1100) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa-free travel regime, to facilitate people-to-people contacts as an important condition for the steady development of economic, humanitarian, cultural, scientific and other ties, by facilitating the issuing of visas to citizens of the Republic of Albania,

P 9: Visa Facilitation Agreement Armenia.pdf - 9:31 [THE EUROPEAN UNION, hereinafter..] (1:115-1:2741) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

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 Partnership and Cooperation Agreement 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 illegal immigration 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:

P 9: Visa Facilitation Agreement Armenia.pdf - 9:32 [DESIRING to facilitate people-...] (1:288-1:512) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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,

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:31 [THE EUROPEAN UNION hereinafter..] (1:125-1:2042) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN UNION hereinafter referred to as 'the Union';

and

THE REPUBLIC OF AZERBAIJAN,

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 the Union and the Republic of Azerbaijan on a basis of reciprocity,

BEARING IN MIND the Agreement on Partnership and Cooperation establishing a Partnership between the Union and its Member States, of the one part, and the Republic of Azerbaijan, of the other part, as well as the negotiations on an EU-Azerbaijan Association Agreement which were launched in 2010,

HAVING REGARD to the Joint Declaration of the Prague Eastern Partnership Summit held on 7 May 2009 stating the political support towards visa liberalization of the visa regime in a secure environment,

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:

Art

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:32 [DESIRING to facilitate people ..] (1:267-1:559) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

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 the Union and the Republic of

Azerbaijan on a basis of reciprocity

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:36 [THE EUROPEAN COMMUNITY, herein..] (1:117-1:1855) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN COMMUNITY,
hereinafter referred to as 'the Community';
and

BOSNIA AND HERZEGOVINA,
hereinafter referred to as 'the Parties',

DESIRING, as a first concrete step towards the visa free travel regime, 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 nationals of Bosnia and Herzegovina,

BEARING IN MIND that, as from 21 July 2005, all EU citizens are exempted from the visa requirement when travelling to Bosnia and Herzegovina for a period of time not exceeding 90 days or transiting through the territory of Bosnia and Herzegovina,

RECOGNISING that if Bosnia and Herzegovina were to reintroduce the visa requirement for EU citizens, the same facilitations granted under this agreement to the nationals of Bosnia and Herzegovina would automatically, on the basis of reciprocity, apply to EU citizens,

RECOGNISING 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 establishing the European Community 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 establishing the European Community and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark,
HAVE AGREED AS FOLLOWS:

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:37 [DESIRING, as a first concrete ..] (1:260-1:564) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 nationals of Bosnia and Herzegovina,

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:15 [THE EUROPEAN UNION, hereinafte..] (1:187-1:1924) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN UNION, hereinafter referred to as 'the Union',
and

THE REPUBLIC OF CAPE VERDE, hereinafter referred to as 'Cape Verde',
Hereinafter referred to as 'the Parties',

WISHING to promote contacts between their peoples as an important factor in ensuring the constant development of economic, humanitarian, cultural, scientific and other ties by facilitating the issue of visas to their citizens on the basis of reciprocity,

HAVING REGARD to the Joint Declaration of 5 June 2008 on a Mobility Partnership between the European Union and Cape Verde, in accordance with which the Parties are to take steps to develop a dialogue on matters relating to short-stay visas, with a view to facilitating the mobility of certain categories of people,

RECALLING the Cotonou Partnership Agreement and the Special Partnership between the European Union and Cape Verde, approved by the Council of the European Union on 19 November 2007,

RECOGNISING that this should not encourage illegal immigration and paying special attention to security and read mission,

TAKING INTO ACCOUNT the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, 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 of Great Britain and Northern Ireland or to Ireland,

TAKING INTO ACCOUNT 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 the Kingdom of Denmark,

HAVE AGREED AS FOLLOWS:

P13: Visa Facilitation Agreement FYROM.pdf - 13:38 [THE EUROPEAN COMMUNITY, herein..] (1:136-1:2943) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',
and

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, hereinafter referred to as 'the Parties',
 HAVING REGARD to the European Council decision of December 2005 to grant the former Yugoslav Republic of Macedonia, candidate country status,
 HAVING REGARD to the Stabilisation and Association Agreement (SAA) between the European Community and the former Yugoslav Republic of Macedonia, which was signed in April 2001 and entered into force on 1 April 2004 and which currently governs the relations with the former Yugoslav Republic of Macedonia,
 REAFFIRMING, the intention to cooperate closely within the framework of the existing SAA structures for the liberalization of the visa regime between the former Yugoslav Republic of Macedonia and the European Union, in line with the conclusions of the EU-Western Balkans Summit held in Thessaloniki on 21 June 2003,
 RECOGNISING the progress made by the former Yugoslav Republic of Macedonia in the area of justice, freedom and security and, in particular, on migration, visa policy, border management and on document security,
 DESIRING, as a first concrete step towards the visa free travel regime, 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 the former Yugoslav Republic of Macedonia,
 BEARING IN MIND that, all EU citizens are exempted from the visa requirement when travelling to the former Yugoslav Republic of Macedonia for a period of time not exceeding 90 days or transiting through the territory of the former Yugoslav Republic of Macedonia,
 RECOGNISING that if the former Yugoslav Republic of Macedonia was to reintroduce the visa requirement for EU citizens, the same facilitations granted under this agreement to the citizens of the former Yugoslav Republic of Macedonia would automatically, on the basis of reciprocity, apply to EU citizens,
 RECOGNISING 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 establishing the European Community 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 establishing the European Community and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark,
 HAVE AGREED AS FOLLOWS:

P13: Visa Facilitation Agreement FYROM.pdf - 13:39 [RECOGNISING the progress made ..] (1:1064-1:1273) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

RECOGNISING the progress made by the former Yugoslav Republic of Macedonia in the area of justice, freedom and security and, in particular, on migration, visa policy, border management and on document security,

P14: Visa Facilitation Agreement Georgia.pdf - 14:29 [THE EUROPEAN UNION, hereinafte..] (1:97-1:2155) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

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 a 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 1 June 2006, all citizens of the Union 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,

RECOGNISING that if Georgia 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 Georgia 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 illegal 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 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,

TAKING INTO ACCOUNT 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,

HAVE AGREED AS FOLLOWS:

P14: Visa Facilitation Agreement Georgia.pdf - 14:30 [RECOGNISING that visa facilita..] (1:1318-1:1448) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

RECOGNISING that visa facilitation should not lead to illegal migration and paying special attention to security and

readmission,

P15: Visa Facilitation Agreement Moldova.pdf - 15:34 [THE EUROPEAN COMMUNITY, herein..] (1:118-1:2295) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community';

and

THE REPUBLIC OF MOLDOVA,

hereinafter referred to as 'the Parties',

BEARING IN MIND that, as from 1 January 2007, EU citizens are exempted from the visa requirement when travelling to

the Republic of Moldova for a period of time not exceeding 90 days per period of 180 days or transiting through the territory of the Republic of Moldova,

WITH A VIEW to further developing friendly relations between the Parties and 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 issuance of visas to Moldovan citizens,

HAVING REGARD to the current EU-Moldova ENP Action Plan, which noted that a constructive dialogue on visa cooperation between the EU and Moldova, including an exchange of views on possibilities of visa facilitation in compliance with the

acquis would be established,

RECOGNISING the introduction of a visa-free travel regime for the citizens of the Republic of Moldova as a long term perspective,

RECOGNISING that if the Republic of Moldova were to reintroduce the visa requirement for EU citizens, the same facilitations granted under this agreement to the citizens of the Republic of Moldova would automatically, on the basis of reciprocity, apply to citizens of the European Union,

RECOGNISING 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 establishing the European Community 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 establishing the European Community and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark,

HAVE AGREED AS FOLLOWS:

P15: Visa Facilitation Agreement Moldova.pdf - 15:35 [HAVING REGARD to the current E..] (1:836-1:1102) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

HAVING REGARD to the current EU-Moldova ENP Action Plan, which noted that a constructive dialogue on visa cooperation between the EU and Moldova, including an exchange of views on possibilities of visa facilitation in compliance with the acquis would be established,

P17: Visa Facilitation Agreement Montenegro.pdf - 17:37 [THE EUROPEAN COMMUNITY, herein..] (1:121-1:2358) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',
and

THE REPUBLIC OF MONTENEGRO,
hereinafter referred to as 'the Parties',

HAVING REGARD to the European perspective of the Republic of Montenegro, the Stabilisation and Association Agreement (SAA) negotiations between the European Community and the Republic of Montenegro,

REAFFIRMING, the intention to cooperate closely within the framework of the future SAA structures for the liberalisation of the visa regime between the Republic of Montenegro and the European Union, in line with the conclusions of the EU-Western Balkans Summit held in Thessaloniki on 21 June 2003,

DESIRING, as a first concrete step towards the visa free travel regime, 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 the Republic of Montenegro,

BEARING IN MIND that, all EU citizens are exempted from the visa requirement when travelling to the Republic of Montenegro for a period of time not exceeding 90 days or transiting through the territory of the Republic of Montenegro,

RECOGNISING that if the Republic of Montenegro was to reintroduce the visa requirement for EU citizens, the same facilitations granted under this agreement to the citizens of the Republic of Montenegro would automatically, on the basis of reciprocity, apply to EU citizens,

RECOGNISING 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 establishing the European Community 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 establishing the European Community and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark,
HAVE AGREED AS FOLLOWS:

P18: Visa Facilitation Agreement Russia.pdf - 18:24 [THE PARTIES, THE EUROPEAN COMM..] (1:182-1:2479) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE PARTIES,

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',

and

THE RUSSIAN FEDERATION,

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 the citizens of the European Union and the Russian Federation on the basis of reciprocity,

HAVING REGARD to the Joint Statement agreed on the occasion of the St Petersburg Summit held on 31 May 2003 stating that the European Union and the Russian Federation agree to examine the conditions for visa-free travel as a long term perspective,

REAFFIRMING the intention to establish the visa-free travel regime between the Russian Federation and the European Union,

BEARING IN MIND the Agreement on Partnership and Cooperation of 24 June 1994 establishing a Partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part,

HAVING REGARD to the Joint Statement on EU Enlargement and EU–Russia Relations agreed on 27 April 2004 confirming the intention of the European Union and the Russian Federation to facilitate visa issuance for the citizens of the European Union and the Russian Federation on a reciprocal basis and to launch negotiations with a view to concluding an agreement,

RECOGNISING that this 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 of Great Britain and Northern Ireland and Ireland and the Protocol integrating the Schengen acquis into the framework of the European Union, annexed to the Treaty on European Union of 7 February 1992 and the Treaty establishing the European Community of 25 March 1957 and confirming that the provisions of this Agreement do not apply to the United Kingdom of Great Britain and Northern Ireland and Ireland,

TAKING INTO ACCOUNT the Protocol on the position of Denmark annexed to the Treaty on European Union of 7 February 1992 and the Treaty establishing the European Community of 25 March 1957 and confirming that the provisions of this Agreement do not apply to the Kingdom of Denmark,

HAVE AGREED AS FOLLOWS

P19: Visa Facilitation Agreement Serbia.pdf - 19:37 [THE EUROPEAN COMMUNITY, herein..] (1:117-1:2424) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community';

and

THE REPUBLIC OF SERBIA, hereinafter referred to as 'the Parties';

HAVING REGARD to the European perspective of the Republic of Serbia, the opening of the Stabilisation and Association Agreement (SAA) negotiations between the European Community/the EU Member States and the Republic of Serbia and the European Partnership adopted by the Council in January 2006,

REAFFIRMING the intention to cooperate closely within the framework of the future SAA structures for the liberalisation of the visa regime between the Republic of Serbia and the European Union, in line with the conclusions of the EU-Western Balkans Summit held in Thessaloniki on 21 June 2003,

DESIRING, as a first concrete step towards the visa free travel regime, 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 the Republic of Serbia,

BEARING IN MIND that, all EU citizens are exempted from the visa requirement when travelling to the Republic of Serbia for a period of time not exceeding 90 days or transiting through the territory of the Republic of Serbia,

RECOGNISING that if the Republic of Serbia was to reintroduce the visa requirement for EU citizens, the same facilitations granted under this agreement to the citizens of the Republic of Serbia would automatically, on the basis of reciprocity, apply to EU citizens,

RECOGNISING 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 establishing the European Community 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 establishing the European Community and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark,

HAVE AGREED AS FOLLOWS:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:31 [THE EUROPEAN COMMUNITY, herein..] (1:101-1:2345) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN COMMUNITY,

hereinafter referred to as 'the Community', and

UKRAINE,

hereinafter referred to as 'the Parties',

WITH A VIEW to further developing friendly relations between the Contracting Parties and 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 Ukrainian citizens,

DESIRING to regulate the regime of mutual travel of citizens of Ukraine and Member States of the European Union, BEARING IN MIND that, as from 1 May 2005, EU citizens are exempted from the visa requirement when travelling to Ukraine for a period of time not exceeding 90 days or transiting through the territory of Ukraine,

RECOGNISING that if Ukraine would reintroduce the visa requirement for EU citizens, the same facilitations granted under this agreement to the Ukrainian citizens would automatically, on the basis of reciprocity, apply to EU citizens, HAVING REGARD to the EU Ukraine Policy Action Plan, which noted that a constructive dialogue on visa facilitation between the EU and Ukraine would be established, with a view to preparing for negotiations on a visa facilitation agreement, taking account of the need for progress on the ongoing negotiations for an EC-Ukraine readmission agreement,

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

RECOGNISING the introduction of a visa free travel regime for the citizens of Ukraine as a long term perspective, 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 establishing the European Community 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 establishing the European Community and confirming that the provisions of this agreement do not apply to the Kingdom of Denmark,

HAVE AGREED AS FOLLOWS:

P20: Visa Facilitation Agreement Ukraine.pdf - 20:32 [WITH A VIEW to further develop..] (1:228-1:541) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

WITH A VIEW to further developing friendly relations between the Contracting Parties and 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 Ukrainian citizens,

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:2 [The determination of those thi..] (1:1128-1:1555) (Super)

Codes: [How is the text situated in broader society?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:17 [THE COUNCIL OF THE EUROPEAN UN..] (1:313-1:580) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,
Having regard to the proposal from the Commission,
Having regard to the opinion of the European Parliament,
Whereas:

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:18 [Article 1 1. Nationals of thir..] (1:3844-2:282) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

Article 1

1. Nationals of third countries on the list in Annex I shall be required to be in possession of a visa when crossing the external borders of the Member States.
 2. Nationals of third countries on the common list in Annex II shall be exempt from the requirement set out in paragraph 1.
- C 177 E/66 Official Journal of the European Communities 27.6.2000 EN
(
1

) Under Article 1 of the Agreement concluded by the Council of the European Union, the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis, this proposal will have to be considered by the Joint Committee in accordance with Article 4 of the Agreement.³ Nationals of third countries formerly part of countries on the lists contained in Annexes I and II shall be subject to the requirements of paragraphs 1 and 2 unless and until the Council decides otherwise under the procedure laid down in the relevant provision of the Treaty.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:19 [Article 4 Stateless persons an..] (2:988-2:1228) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 4

Stateless persons and recognised refugees shall be subject to the visa requirement or shall be exempted from it on the same terms as nationals of the non-member State in which they reside and which issued their travel document.

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:6 [The Council, acting on the bas..] (1:1397-1:1754) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

The Council, acting on the basis of Article 100c, adopted Regulation (EC) No 2317/95 of 25 September 1995 determining the third countries whose nationals must be in possession of visas when crossing the external borders of the Member States [1]; this was annulled by the Court of Justice on 10 June 1997 and replaced by Regulation (EC) No 574/99 [2].

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:7 [The need to adopt a new Regula..] (2:969-2:1071) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

The need to adopt a new Regulation flows primarily from the entry into force of the Amsterdam Treaty.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:42 [IS MAJESTY THE KING OF THE BEL..] (7:2-7:1944) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

IS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS (),
DETERMINED to lay the foundations of an ever closer union among the peoples of Europe,
RESOLVED to ensure the economic and social progress of their countries by common action to eliminate the barriers which divide Europe,
AFFIRMING as the essential objective of their efforts the constant improvements of the living and working conditions of their peoples,
RECOGNISING that the removal of existing obstacles calls for concerted action in order to guarantee steady expansion, balanced trade and fair competition,
ANXIOUS to strengthen the unity of their economies and to ensure their harmonious development by reducing the differences existing between the various regions and the backwardness of the less favoured regions,
DESIRING to contribute, by means of a common commercial policy, to the progressive abolition of restrictions on international trade,
INTENDING to confirm the solidarity which binds Europe and the overseas countries and desiring to ensure the development of their prosperity, in accordance with the principles of the Charter of the United Nations,
RESOLVED by thus pooling their resources to preserve and strengthen peace and liberty, and calling upon the other peoples of Europe who share their ideal to join in their efforts,
DETERMINED to promote the development of the highest possible level of knowledge for their peoples through a wide access to education and through its continuous updating,
HAVE DECIDED to create a EUROPEAN COMMUNITY and to this end have designated as their Plenipotentiaries:
List of plenipotentiaries not reproduced
WHO, having exchanged their full powers, found in good and due form, have agreed as follows

P24: Consolidated Treaty on Establishing European Community.pdf - 24:43 [rticle 1 By this Treaty, the H..] (8:24-8:127) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

rticle 1

By this Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN COMMUNITY.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:44 [icle 2 The Community shall hav..] (8:133-8:850) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

icle 2

The Community shall have as its task, by establishing a common market and an economic and monetary union and by implementing common policies or activities referred to in Articles 3 and 4, to promote throughout the Community a harmonious, balanced and sustainable development of economic activities, a high level of employment and of social protection, equality between men and women, sustainable and non-inflationary growth, a high degree of competitiveness and convergence of economic performance, a high level of protection and improvement of the quality of the environment, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:45 [he tasks entrusted to the Comm..] (10:744-10:1028) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

he tasks entrusted to the Community shall be carried out by the following institutions:

- a EUROPEAN PARLIAMENT,
- a COUNCIL,
- a COMMISSION,
- a COURT OF JUSTICE,
- a COURT OF AUDITORS.

Each institution shall act within the limits of the powers conferred upon it by this Treaty.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:46 [Article 10 Member States shall..] (10:1787-10:2191) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

Article 10

Member States shall take all appropriate measures, whether general or particular, to ensure fulfilment of the obligations arising out of this Treaty or resulting from action taken by the institutions of the Community. They shall facilitate the achievement of the Community's tasks.
They shall abstain from any measure which could jeopardise the attainment of the objectives of this Treaty.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:47 [his title shall not affect the..] (27:1529-27:2104) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

his title shall not affect the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security.

2. In the event of one or more Member States being confronted with an emergency situation characterised by a sudden inflow of nationals of third countries and without prejudice to paragraph 1, the Council may, acting by qualified majority on a proposal from the Commission, adopt provisional measures of a duration not exceeding six months for the benefit of the Member States concerned.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:48 [rticle 66 The Council, acting ..] (28:595-28:898) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

rticle 66

The Council, acting in accordance with the procedure referred to in Article 67, shall take measures to ensure cooperation between the relevant departments of the administrations of the Member States in the areas covered by this title, as well as between those departments and the Commission.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:49 [rticle 68 1. Article 234 shall ..] (29:473-29:1056) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]
No memos

title 68

1. Article 234 shall apply to this title under the following circumstances and conditions: where a question on the interpretation of this title or on the validity or interpretation of acts of the institutions of the Community based on this title is raised in a case pending before a court or a tribunal of a Member State against whose decisions there is no judicial remedy under national law, that court or tribunal shall, if it considers that a decision on the question is necessary to enable it to give judgment, request the Court of Justice to give a ruling thereon.

P26: Schengen Protocol Page 31-1.pdf - 26:14 [THE COUNCIL OF THE EUROPEAN UN..] (1:339-1:2822) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Protocol integrating the Schengen acquis into the framework of the European Union, annexed to the Treaty on European Union and to the Treaty establishing the European Community by the Treaty of Amsterdam (hereinafter referred to as 'the Schengen Protocol'), and in particular Article 2 thereof,

(1) Whereas on 18 May 1999, an Agreement based on the first paragraph of Article 6 of the Schengen Protocol was concluded with the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (hereinafter referred to as 'the Agreement');

(2) Whereas it is necessary to establish arrangements for the application of some of the provisions of the Agreement;

(3) Whereas the Agreement establishes a Joint Committee, which is to address all matters relating to the application and further development of those provisions of the European Union which Iceland and Norway have undertaken to implement and apply pursuant to Article 2 of the Agreement;

(4) Whereas it is for the European Union to define the areas in

which the further development of the existing provisions of the Union will be covered by the procedures set out in the Agreement, in particular the procedures for discussion within the Joint Committee;

(5) Whereas any amendments to the list of those areas may be adopted by the Council on the same legal basis as that of this Decision;

(6) Whereas the application of the procedures set out in the Agreement is without prejudice to the Agreement on the European Economic Area and any other agreement between the European Community and Iceland and Norway or agreements concluded with those States on the basis of Articles 24 and 38 of the Treaty on European Union;

(7) Whereas this Decision is without prejudice to the application or the interpretation both of the Protocol on the position of Denmark, annexed by the Treaty of Amsterdam to the Treaty on European Union and to the Treaty establishing the European Community, and of other provisions of the Schengen Protocol;

(8) Whereas provision should be made for a consultation procedure within the Council before any decision is taken by the Joint Committee relating to the termination or continuation of the Agreement, with the aim of reaching a common position among the members of the Council,
HAS DECIDED AS FOLLOWS:

P27: Schengen Protocol Page 1.pdf - 27:24 [THE COUNCIL OF THE EUROPEAN UN..] (1:403-1:3412) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,
Acting on the basis of Article 2(1), second subparagraph, first sentence, of the Protocol annexed to the Treaty on European Union and the Treaty establishing the European Community, integrating the Schengen acquis into the framework of the

European Union (hereinafter referred to as 'the Schengen Protocol'),

(1) Whereas it is necessary to define the Schengen acquis in order to allow the Council to determine, in conformity with the relevant provision of the Treaties, legal bases for each of the provisions of the Schengen acquis;

(2) Whereas the determination of legal bases is necessary only in respect of those binding provisions or decisions constituting the Schengen acquis which are still operative;

(3) Whereas the Council must therefore establish for which provisions or decisions constituting the Schengen acquis it is not necessary to determine a legal basis in conformity with the relevant provision of the Treaties;

(4) Whereas the conclusion that for certain provisions of the Schengen acquis it is not necessary or appropriate for the Council to determine a legal basis in conformity with the relevant provisions of the Treaties may be justified on the following grounds:

(a) The provision does not have any binding legal force, and a comparable provision can be adopted by the Council only on the basis of an instrument that has not legal basis in one of the Treaties.

(b) The passage of time and/or events have rendered the provision redundant.

(c) The provision relates to institutional rules which are regarded as being superseded by European Union procedures.

(d) The subject matter of the provision is covered by — and therefore superseded by — existing European Community or Union legislation or by a legal act adopted by all Member States.

(e) The provision has been made redundant by the Agreement to be concluded with the Republic of Iceland and the Kingdom of Norway pursuant to Article 6 of the Schengen Protocol.

(f) The provision concerns an area covered neither by the activity of the Community nor by the aims of the

European Union and thus concerns one of those areas in which the Member States have retained freedom to act. This includes provisions which may be significant only for the purposes of calculating financial claims of or between the Member States concerned;

(5) Even if on one of these grounds it is not necessary or not appropriate for the Council to establish legal bases for certain provisions of the Schengen acquis, this does not have the effect of rendering them redundant or depriving them of legal validity. The legal effects of acts still in force which were adopted on the basis of such provisions are not affected;

(6) The rights and duties of Denmark are governed by Article 3 of the Protocol integrating the Schengen acquis into the framework of the European Union and in Articles 1 to 5 of the Protocol on the position of Denmark,

HAS DECIDED AS FOLLOWS:

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:9 [he governments signatory heret..] (2:2-2:173) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

he governments signatory hereto, being members of the Council of Europe,
Desirous of facilitating travel for refugees residing in their territory,
Have agreed as follows:

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:10 [Article 7 1 Each Contracting P..] (4:377-4:1117) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 7

1 Each Contracting Party reserves the option, for reasons of ordre public, security or public health, to delay the entry into force of this Agreement, or order the temporary suspension thereof in respect of all or some of the other Parties, except in so far as the provisions of Article 5 are concerned. The Secretary General of the Council of Europe shall immediately be informed when any such measure is taken and again when it ceases to be operative.

2 A Contracting Party which avails itself of either of the options provided for in the foregoing paragraph may not claim the application of this Agreement by any other Party save in so far as it also applies it in respect of that Party

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:22 [THE COUNCIL OF THE EUROPEAN UN..] (1:288-1:670) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 63, first paragraph, point (1)(a),

Having regard to the proposal from the Commission (

1

),

Having regard to the opinion of the European Parliament (

2

),

Having regard to the opinion of the European Economic and

Social Committee (

3

),

Whereas:

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:25 [Article 3 1. Member States sha..] (3:3800-3:5189) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 3

1. Member States shall examine the application of any thirdcountry national who applies at the border or in their territory to any one of them for asylum. The application shall be examined by a single Member State, which shall be the one which the criteria set out in Chapter III indicate is responsible.

2. By way of derogation from paragraph 1, each Member State may examine an application for asylum lodged with it by a third-country national, even if such examination is not its responsibility under the criteria laid down in this Regulation. In such an event, that Member State shall become the Member

State responsible within the meaning of this Regulation and shall assume the obligations associated with that responsibility. Where appropriate, it shall inform the Member State previously responsible, the Member State conducting a procedure for determining the Member State responsible or the Member State which has been requested to take charge of or take back the applicant.

3. Any Member State shall retain the right, pursuant to its national laws, to send an asylumseeker to a third country, in compliance with the provisions of the Geneva Convention.

4. The asylumseeker shall be informed in writing in a language that he or she may reasonably be expected to understand regarding the application of this Regulation, its time limits and its effects.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:26 [Article 4 1. The process of de..] (3:5192-4:2322) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 4

1. The process of determining the Member State responsible under this Regulation shall start as soon as an application for asylum is first lodged with a Member State.

25.2.2003 EN Official Journal of the European Union L 50/32. An application for asylum shall be deemed to have been lodged once a form submitted by the applicant for asylum or a report prepared by the authorities has reached the competent authorities of the Member State concerned. Where an application is not made in writing, the time elapsing between the statement of intention and the preparation of a report should be as short as possible.

3. For the purposes of this Regulation, the situation of a minor who is accompanying the asylum seeker and meets the definition of a family member set out in Article 2, point (i), shall be indissociable from that of his parent or guardian and shall be a matter for the Member State responsible for examining the application for asylum of that parent or guardian, even if the minor is not individually an asylum seeker. The same treatment shall be applied to children born after the asylumseeker arrives in the territory of the Member States,

without the need to initiate a new procedure for taking charge of them.

4. Where an application for asylum is lodged with the competent authorities of a Member State by an applicant who is in the territory of another Member State, the determination of the Member State responsible shall be made by the Member State in whose territory the applicant is present. The latter Member State shall be informed without delay by the Member State which received the application and shall then, for the purposes of this Regulation, be regarded as the Member State with which the application for asylum was lodged.

The applicant shall be informed in writing of this transfer and of the date on which it took place.

5. An asylumseeker who is present in another Member State and there lodges an application for asylum after withdrawing his application during the process of determining the Member State responsible shall be taken back, under the conditions laid down in Article 20, by the Member State with which that application for asylum was lodged, with a view to completing the process of determining the Member State responsible for examining the application for asylum. This obligation shall cease, if the asylumseeker has in the meantime left the territories of the Member States for a period of at least three months or has obtained a residence document from a Member State.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:27 [CHAPTER III HIERARCHY OF CRITERIA] (4:2325-5:4541) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

CHAPTER III

HIERARCHY OF CRITERIA

Article 5

1. The criteria for determining the Member State responsible shall be applied in the order in which they are set out in this Chapter.

2. The Member State responsible in accordance with the criteria shall be determined on the basis of the situation

obtaining when the asylumseeker first lodged his application with a Member State.

Article 6

Where the applicant for asylum is an unaccompanied minor, the Member State responsible for examining the application shall be that where a member of his or her family is legally present, provided that this is in the best interest of the minor.

In the absence of a family member, the Member State responsible for examining the application shall be that where the minor has lodged his or her application for asylum.

Article 7

Where the asylum seeker has a family member, regardless of whether the family was previously formed in the country of origin, who has been allowed to reside as a refugee in a Member State, that Member State shall be responsible for examining the application for asylum, provided that the persons concerned so desire.

Article 8

If the asylum seeker has a family member in a Member State whose application has not yet been the subject of a first decision regarding the substance, that Member State shall be responsible for examining the application for asylum, provided that the persons concerned so desire.

Article 9

1. Where the asylumseeker is in possession of a valid residence document, the Member State which issued the document shall be responsible for examining the application for asylum.

2. Where the asylumseeker is in possession of a valid visa, the Member State which issued the visa shall be responsible for examining the application for asylum, unless the visa was issued when acting for or on the written authorisation of another Member State. In such a case, the latter Member State shall be responsible for examining the application for asylum.

Where a Member State first consults the central authority of another Member State, in particular for security reasons, the latter's reply to the consultation shall not constitute written authorisation within the meaning of this provision.

3. Where the asylumseeker is in possession of more than one valid residence document or visa issued by different Member States, the responsibility for examining the application for asylum shall be assumed by the Member States in the

following order:

(a) the Member State which issued the residence document conferring the right to the longest period of residency or, where the periods of validity are identical, the Member State which issued the residence document having the latest expiry date;

(b) the Member State which issued the visa having the latest expiry date where the various visas are of the same type;

(c) where visas are of different kinds, the Member State which issued the visa having the longest period of validity, or, where the periods of validity are identical, the Member State which issued the visa having the latest expiry date.

L 50/4 Official Journal of the European Union EN 25.2.20034. Where the asylumseeker is in possession only of one or more residence documents which have expired less than two years previously or one or more visas which have expired less than six months previously and which enabled him actually to enter the territory of a Member State, paragraphs 1, 2 and 3 shall apply for such time as the applicant has not left the territories of the Member States.

Where the asylumseeker is in possession of one or more residence documents which have expired more than two years previously or one or more visas which have expired more than six months previously and enabled him actually to enter the territory of a Member State and where he has not left the territories of the Member States, the Member State in which the application is lodged shall be responsible.

5. The fact that the residence document or visa was issued on the basis of a false or assumed identity or on submission of forged, counterfeit or invalid documents shall not prevent responsibility being allocated to the Member State which issued it. However, the Member State issuing the residence document or visa shall not be responsible if it can establish that a fraud was committed after the document or visa had been issued.

Article 10

1. Where it is established, on the basis of proof or circumstantial evidence as described in the two lists mentioned in Article 18(3), including the data referred to in Chapter III of Regulation (EC) No 2725/2000, that an asylumseeker has irregularly crossed the border into a Member State by land, sea or air having come from a third country, the Member State thus entered shall be responsible for examining the application for asylum. This responsibility shall cease 12 months after the date

on which the irregular border crossing took place.

2. When a Member State cannot or can no longer be held responsible in accordance with paragraph 1, and where it is established, on the basis of proof or circumstantial evidence as described in the two lists mentioned in Article 18(3), that the asylumseeker — who has entered the territories of the Member States irregularly or whose circumstances of entry cannot be established — at the time of lodging the application has been previously living for a continuous period of at least five months in a Member State, that Member State shall be responsible for examining the application for asylum.

If the applicant has been living for periods of time of at least five months in several Member States, the Member State where this has been most recently the case shall be responsible for examining the application.

Article 11

1. If a third-country national enters into the territory of a Member State in which the need for him or her to have a visa is waived, that Member State shall be responsible for examining his or her application for asylum.

2. The principle set out in paragraph 1 does not apply, if the third-country national lodges his or her application for asylum in another Member State, in which the need for him or her to have a visa for entry into the territory is also waived. In this case, the latter Member State shall be responsible for examining the application for asylum.

Article 12

Where the application for asylum is made in an international transit area of an airport of a Member State by a third-country national, that Member State shall be responsible for examining the application.

Article 13

Where no Member State responsible for examining the application for asylum can be designated on the basis of the criteria listed in this Regulation, the first Member State with which the application for asylum was lodged shall be responsible for examining it.

Article 14

Where several members of a family submit applications for

asylum in the same Member State simultaneously, or on dates close enough for the procedures for determining the Member State responsible to be conducted together, and where the application of the criteria set out in this Regulation would lead to them being separated, the Member State responsible shall be determined on the basis of the following provisions:

- (a) responsibility for examining the applications for asylum of all the members of the family shall lie with the Member State which the criteria indicate is responsible for taking charge of the largest number of family members;
- (b) failing this, responsibility shall lie with the Member State which the criteria indicate is responsible for examining the application of the oldest of them.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:28 [1. Where it is established, on..] (5:1257-5:1806) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

1. Where it is established, on the basis of proof or circumstantial evidence as described in the two lists mentioned in Article 18(3), including the data referred to in Chapter III of Regulation (EC) No 2725/2000, that an asylumseeker has irregularly crossed the border into a Member State by land, sea or air having come from a third country, the Member State thus entered shall be responsible for examining the application for asylum. This responsibility shall cease 12 months after the date on which the irregular border crossing took place.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:29 [Article 16 1. The Member State..] (6:1200-6:2937) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 16

1. The Member State responsible for examining an application for asylum under this Regulation shall be obliged to:

- (a) take charge, under the conditions laid down in Articles 17 to 19, of an asylumseeker who has lodged an application in a different Member State;
- (b) complete the examination of the application for asylum;

(c) take back, under the conditions laid down in Article 20, an applicant whose application is under examination and who is in the territory of another Member State without permission;
(d) take back, under the conditions laid down in Article 20, an applicant who has withdrawn the application under examination and made an application in another Member State;
(e) take back, under the conditions laid down in Article 20, a third-country national whose application it has rejected and who is in the territory of another Member State without permission.

2. Where a Member State issues a residence document to the applicant, the obligations specified in paragraph 1 shall be transferred to that Member State.

3. The obligations specified in paragraph 1 shall cease where the third-country national has left the territory of the Member States for at least three months, unless the third-country national is in possession of a valid residence document issued by the Member State responsible.

4. The obligations specified in paragraph 1(d) and (e) shall likewise cease once the Member State responsible for examining the application has adopted and actually implemented, following the withdrawal or rejection of the application, the provisions that are necessary before the third-country national can go to his country of origin or to another country to which he may lawfully travel.

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:15 [THE COUNCIL OF THE EUROPEAN UN..] (1:264-1:546) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,

Having regard to the proposal from the Commission (

1

),

Having regard to the opinion of the European Parliament (

2

),

Whereas:

P32: Seville European Council.pdf - 32:39 [26. The European Council is de..] (8:860-8:1225) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

26. The European Council is determined to speed up the implementation of all aspects of the programme adopted in Tampere for the creation of an area of freedom, security and justice in the European Union. The European Council points here to the need to develop a European Union common policy on the separate, but closely related, issues of asylum and immigration

P32: Seville European Council.pdf - 32:40 [37. In parallel with closer co..] (13:174-13:699) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

37. In parallel with closer cooperation in combating illegal immigration, there is a need to press ahead with the examination of proposals under discussion. The European Council urges the Council to adopt:

- by December 2002, the Dublin II Regulation;
- by June 2003, the minimum standards for qualification for refugee status and the content of refugee status and the provisions on family reunification and the status of long-term permanent residents;
- by the end of 2003, the common standards for asylum procedures.

P33: Treaty on the Functioning of the European Union.pdf - 33:20 [HIS MAJESTY THE KING OF THE BE..] (3:11-3:1926) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

HIS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS, (

1
)

DETERMINED to lay the foundations of an ever closer union among the peoples of Europe,

RESOLVED to ensure the economic and social progress of their States by common action to eliminate the barriers which divide Europe,

AFFIRMING as the essential objective of their efforts the constant improvements of the living and working conditions of their peoples,

RECOGNISING that the removal of existing obstacles calls for concerted action in order to guarantee steady expansion, balanced trade and fair competition,

ANXIOUS to strengthen the unity of their economies and to ensure their harmonious development by reducing the differences existing between the various regions and the backwardness of the less favoured regions,

DESIRING to contribute, by means of a common commercial policy, to the progressive abolition of restrictions on international trade,

INTENDING to confirm the solidarity which binds Europe and the overseas countries and desiring to ensure the development of their prosperity, in accordance with the principles of the Charter of the United Nations,

RESOLVED by thus pooling their resources to preserve and strengthen peace and liberty, and calling upon the other peoples of Europe who share their ideal to join in their efforts,

DETERMINED to promote the development of the highest possible level of knowledge for their peoples through a wide access to education and through its continuous updating,

and to this end HAVE DESIGNATED as their Plenipotentiaries:

(List of plenipotentiaries not reproduced)

WHO, having exchanged their full powers, found in good and due form, have agreed as follows.

P33: Treaty on the Functioning of the European Union.pdf - 33:21 [Article 1 1. This Treaty organ..] (4:23-4:382) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 1

1. This Treaty organises the functioning of the Union and determines the areas of, delimitation of, and arrangements for exercising its competences.

2. This Treaty and the Treaty on European Union constitute the Treaties on which the Union is founded. These two Treaties, which have the same legal value, shall be referred to as 'the Treaties'.

P33: Treaty on the Functioning of the European Union.pdf - 33:22 [Article 2 1. When the Treaties..] (4:436-4:2178) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 2

1. When the Treaties confer on the Union exclusive competence in a specific area, only the Union may legislate and adopt legally binding acts, the Member States being able to do so themselves only if so empowered by the Union or for the implementation of Union acts.
2. When the Treaties confer on the Union a competence shared with the Member States in a specific area, the Union and the Member States may legislate and adopt legally binding acts in that area. The Member States shall exercise their competence to the extent that the Union has not exercised its competence. The Member States shall again exercise their competence to the extent that the Union has decided to cease exercising its competence.
3. The Member States shall coordinate their economic and employment policies within arrangements as determined by this Treaty, which the Union shall have competence to provide.
4. The Union shall have competence, in accordance with the provisions of the Treaty on European Union, to define and implement a common foreign and security policy, including the progressive framing of a common defence policy.
5. In certain areas and under the conditions laid down in the Treaties, the Union shall have competence to carry out actions to support, coordinate or supplement the actions of the Member States, without thereby superseding their competence in these areas. Legally binding acts of the Union adopted on the basis of the provisions of the Treaties relating to these areas shall not entail harmonisation of Member States' laws or regulations.
6. The scope of and arrangements for exercising the Union's competences shall be determined by the provisions of the Treaties relating to each area.

P33: Treaty on the Functioning of the European Union.pdf - 33:23 [Article 7 The Union shall ensu..] (7:106-7:292) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 7

The Union shall ensure consistency between its policies and activities, taking all of its objectives into account and in accordance with the principle of conferral of powers.

P33: Treaty on the Functioning of the European Union.pdf - 33:24 [Article 67 (ex Article 61 TEC ..] (27:1129-27:1360) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 67

(ex Article 61 TEC and ex Article 29 TEU)

1. The Union shall constitute an area of freedom, security and justice with respect for fundamental rights and the different legal systems and traditions of the Member States.

P33: Treaty on the Functioning of the European Union.pdf - 33:25 [2. It shall ensure the absence..] (27:1363-27:1706) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

2. It shall ensure the absence of internal border controls for persons and shall frame a common policy on asylum, immigration and external border control, based on solidarity between Member States, which is fair towards third-country nationals. For the purpose of this Title, stateless persons shall be treated as third-country nationals.

P33: Treaty on the Functioning of the European Union.pdf - 33:26 [Article 79 (ex Article 63, poi..)] (31:980-32:617) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

Article 79

(ex Article 63, points 3 and 4, TEC)

1. The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings.

2. For the purposes of paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures in the following areas:

- (a) the conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification;
- (b) the definition of the rights of third-country nationals residing legally in a Member State, including the conditions governing freedom of movement and of residence in other Member States;
- (c) illegal immigration and unauthorised residence, including removal and repatriation of persons residing without authorisation;
- (d) combating trafficking in persons, in particular women and children.

3. The Union may conclude agreements with third countries for the readmission to their countries of origin or provenance of third-country nationals who do not or who no longer fulfil the conditions for entry, presence or residence in the territory of one of the Member States.

26.10.2012 Official EN Journal of the European Union C 326/774. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may establish measures to provide incentives and support for the action of Member States

with a view to promoting the integration of third-country nationals residing legally in their territories, excluding any harmonisation of the laws and regulations of the Member States.

5. This Article shall not affect the right of Member States to determine volumes of admission of third-country nationals coming from third countries to their territory in order to seek work, whether employed or self-employed.

P33: Treaty on the Functioning of the European Union.pdf - 33:27 [Article 198 (ex Article 182 TE..)] (91:67-91:901) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 198

(ex Article 182 TEC)

The Member States agree to associate with the Union the non-European countries and territories which have special relations with Denmark, France, the Netherlands and the United Kingdom. These countries and territories (hereinafter called the 'countries and territories') are listed in Annex II.

The purpose of association shall be to promote the economic and social development of the countries and territories and to establish close economic relations between them and the Union as a whole.

In accordance with the principles set out in the preamble to this Treaty, association shall serve primarily to further the interests and prosperity of the inhabitants of these countries and territories in order to lead them to the economic, social and cultural development to which they aspire.

P33: Treaty on the Functioning of the European Union.pdf - 33:28 [Article 203 (ex Article 187 TE..)] (93:1-93:630) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 203

(ex Article 187 TEC)

The Council, acting unanimously on a proposal from the Commission, shall, on the basis of the experience acquired under the association of the countries and territories with the Union and of the principles set out in the Treaties, lay down provisions as regards the detailed rules and the procedure for the association of the countries and territories with the Union. Where the provisions in question are adopted by the Council in accordance with a special legislative procedure, it shall act unanimously on a proposal from the Commission and after consulting the European Parliament.

P33: Treaty on the Functioning of the European Union.pdf - 33:29 [Article 205 The Union's action..] (93:972-93:1240) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 205

The Union's action on the international scene, pursuant to this Part, shall be guided by the principles, pursue the objectives and be conducted in accordance with the general provisions laid down in Chapter 1 of Title V of the Treaty on European Union.

P33: Treaty on the Functioning of the European Union.pdf - 33:30 [Article 222 1. The Union and i..] (102:31-102:2048) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 222

1. The Union and its Member States shall act jointly in a spirit of solidarity if a Member State is the object of a terrorist attack or the victim of a natural or man-made disaster. The Union shall mobilise all the instruments at its disposal, including the military resources made available by the Member States, to:

(a) — prevent the terrorist threat in the territory of the Member States;
— protect democratic institutions and the civilian population from any terrorist attack;
— assist a Member State in its territory, at the request of its political authorities, in the event of a terrorist attack;

(b) assist a Member State in its territory, at the request of its political authorities, in the event of a natural or man-made disaster.

2. Should a Member State be the object of a terrorist attack or the victim of a natural or man-made disaster, the other Member States shall assist it at the request of its political authorities. To that end, the Member States shall coordinate between themselves in the Council.

3. The arrangements for the implementation by the Union of the solidarity clause shall be defined by a decision adopted by the Council acting on a joint proposal by the Commission and the High Representative of the Union for Foreign Affairs and Security Policy. The Council shall act in accordance with Article 31(1) of the Treaty on European Union where this decision has defence implications. The European Parliament shall be informed.

For the purposes of this paragraph and without prejudice to Article 240, the Council shall be assisted by the Political and Security Committee with the support of the structures developed in the context of the common security and defence policy and by the Committee referred to in Article 71; the two committees shall, if necessary, submit joint opinions.

4. The European Council shall regularly assess the threats facing the Union in order to enable the

Union and its Member States to take effective action.

P34: Treaty on European Union.pdf - 34:14 [PREAMBLE HIS MAJESTY THE KING ..] (3:1-4:1253) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

PREAMBLE

HIS MAJESTY THE KING OF THE BELGIANS, HER MAJESTY THE QUEEN OF DENMARK, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF IRELAND, THE PRESIDENT OF THE HELLENIC REPUBLIC, HIS MAJESTY THE KING OF SPAIN, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS, THE PRESIDENT OF THE PORTUGUESE REPUBLIC, HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (

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),

RESOLVED to mark a new stage in the process of European integration undertaken with the establishment of the European Communities,

DRAWING INSPIRATION from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law,

RECALLING the historic importance of the ending of the division of the European continent and the need to create firm bases for the construction of the future Europe,

CONFIRMING their attachment to the principles of liberty, democracy and respect for human rights and fundamental freedoms and of the rule of law,

CONFIRMING their attachment to fundamental social rights as defined in the European Social Charter signed at Turin on 18 October 1961 and in the 1989 Community Charter of the Fundamental Social Rights of Workers,

DESIRING to deepen the solidarity between their peoples while respecting their history, their culture and their traditions,

DESIRING to enhance further the democratic and efficient functioning of the institutions so as to enable them better to carry out, within a single institutional framework, the tasks entrusted to them,

RESOLVED to achieve the strengthening and the convergence of their economies and to establish an economic and monetary union including, in accordance with the provisions of this Treaty and of the Treaty on the Functioning of the European Union, a single and stable currency,

DETERMINED to promote economic and social progress for their peoples, taking into account the

principle of sustainable development and within the context of the accomplishment of the internal market and of reinforced cohesion and environmental protection, and to implement policies ensuring that advances in economic integration are accompanied by parallel progress in other fields,

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) The Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland and the Kingdom of Sweden have since become members of the European Union. RESOLVED to establish a citizenship common to nationals of their countries, RESOLVED to implement a common foreign and security policy including the progressive framing of a common defence policy, which might lead to a common defence in accordance with the provisions of Article 42, thereby reinforcing the European identity and its independence in order to promote peace, security and progress in Europe and in the world, RESOLVED to facilitate the free movement of persons, while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of this Treaty and of the Treaty on the Functioning of the European Union, RESOLVED to continue the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizen in accordance with the principle of subsidiarity,

IN VIEW of further steps to be taken in order to advance European integration,

HAVE DECIDED to establish a European Union and to this end have designated as their Plenipotentiaries:

(List of plenipotentiaries not reproduced)

WHO, having exchanged their full powers, found in good and due form, have agreed as follows:

P34: Treaty on European Union.pdf - 34:15 [Article 1 (ex Article 1 TEU) (..) (4:1284-4:2009) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 1

(ex Article 1 TEU) (

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By this Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN UNION, hereinafter called 'the Union', on which the Member States confer competences to attain objectives

they have in common.

This Treaty marks a new stage in the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as openly as possible and as closely as possible to the citizen.

The Union shall be founded on the present Treaty and on the Treaty on the Functioning of the European Union (hereinafter referred to as 'the Treaties'). Those two Treaties shall have the same legal value. The Union shall replace and succeed the European Community.

P35: Schengen Acquis.pdf - 35:14 [The Governments of the Kingdom..] (20:1-20:2023) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

The Governments of the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, hereinafter referred to as 'the Parties',

Aware that the ever closer union of the peoples of the Member States of the European Communities should find its expression in the freedom to cross internal borders for all nationals of the Member States and in the free movement of goods and services,

Anxious to strengthen the solidarity between their peoples by removing the obstacles to free movement at the common borders between the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic,

Considering the progress already achieved within the European Communities with a view to ensuring the free movement of persons, goods and services,

Prompted by the resolve to achieve the abolition of checks at their common borders on the movement of nationals of the Member States of the European Communities and to facilitate the movement of goods and services at those borders,

Considering that application of this agreement may require legislative measures which will have to be submitted to the parliaments of the Signatory States in accordance with their constitutions,

Having regard to the statement by the Fontainebleau European Council on 25 and 26 June 1984 on the abolition of police and customs formalities for people and goods crossing intra-Community frontiers,

Having regard to the agreement concluded at Saarbrücken on 13 July 1984 between the Federal Republic of Germany and the French Republic,

Having regard to the conclusions adopted on 31 May 1984 following the meeting of the transport ministers of the Benelux States and the Federal Republic of Germany at Neustadt/Aisch,

Having regard to the memorandum of the Governments of the Benelux Economic Union of 12 December 1984 forwarded to the Governments of the Federal Republic of Germany and the French Republic,
HAVE AGREED AS FOLLOWS:

P35: Schengen Acquis.pdf - 35:15 [he Kingdom of Belgium, the Fed..] (30:2-30:1052) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

he Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands, hereinafter referred to as 'the contracting parties',
Taking as their basis the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at their common borders,
Having decided to fulfil the resolve expressed in that agreement to abolish checks at their common borders on the movement of persons and facilitate the transport and movement of goods at those borders,
Whereas the Treaty establishing the European Communities, supplemented by the Single European Act, provides that the internal market shall comprise an area without internal frontiers,
Whereas the aim pursued by the contracting parties is in keeping with that objective, without prejudice to the measures to be taken to implement the provisions of the Treaty,
Whereas the fulfilment of that resolve requires a series of appropriate measures and close cooperation between the contracting parties,
HAVE AGREED AS FOLLOWS:

P35: Schengen Acquis.pdf - 35:16 [Article 5 1. For stays not exc..] (34:776-34:1813) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

Article 5

1. For stays not exceeding three months,
aliens fulfilling the following conditions
may be granted entry into the territories
of the contracting parties:
(a) that the aliens possess a valid document

or documents, as defined by the Executive Committee, authorising them to cross the border;

(b) that the aliens are in possession of a valid visa if required;

(c) that the aliens produce, if necessary, documents justifying the purpose and conditions of the intended stay and that they have sufficient means of subsistence, both for the period of the intended stay and for the return to their country of origin or transit to a third State into which they are certain to be admitted, or are in a position to acquire such means lawfully;

(d) that the aliens shall not be persons for whom an alert has been issued for the purposes of refusing entry;

(e) that the aliens shall not be considered to be a threat to public policy, national security or the international relations of any of the contracting parties.

P36: Regulation 767-2008.pdf - 36:19 [THE EUROPEAN PARLIAMENT AND TH..] (1:223-1:566) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(ii) and Article 66 thereof,

Having regard to the proposal from the Commission,

Acting in accordance with the procedure laid down in Article 251
of the Treaty (

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),

Whereas:

P36: Regulation 767-2008.pdf - 36:21 [Access to data for verificatio..] (10:2005-10:2632) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Access to data for verification at external border crossing points

1. For the sole purpose of verifying the identity of the visa holder and/or the authenticity of the visa and/or whether the conditions for entry to the territory of the Member States in accordance with Article 5 of the Schengen Borders Code are fulfilled, the competent authorities for carrying out checks at external border crossing points in accordance with the Schengen Borders Code shall, subject to paragraphs 2 and 3, have access to search using the number of the visa sticker in combination with verification of fingerprints of the visa holder.

P36: Regulation 767-2008.pdf - 36:22 [Use of data for reporting and ..] (10:488-10:1940) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Use of data for reporting and statistics

The competent visa authorities shall have access to consult the following data, solely for the purposes of reporting and statistics without allowing the identification of individual applicants:

1. status information;
2. the competent visa authority, including its location;
3. current nationality of the applicant;
4. border of first entry;
5. date and place of the application or the decision concerning the visa;
6. the type of visa requested or issued;
7. the type of the travel document;
8. the grounds indicated for any decision concerning the visa or visa application;
9. the competent visa authority, including its location, which refused the visa application and the date of the refusal;
10. the cases in which the same applicant applied for a visa

from more than one visa authority, indicating these visa authorities, their location and the dates of refusals;

11. purpose of travel;

12. the cases in which the data referred to in Article 9(6) could factually not be provided, in accordance with the second sentence of Article 8(5);

13. the cases in which the data referred to in Article 9(6) was not required to be provided for legal reasons, in accordance with the second sentence of Article 8(5);

14. the cases in which a person who could factually not provide the data referred to in Article 9(6) was refused a visa, in accordance with the second sentence of Article 8(5).

P36: Regulation 767-2008.pdf - 36:23 [Article 41 Supervision by the ..] (18:1111-19:2517) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 41

Supervision by the National Supervisory Authority

1. The authority or authorities designated in each Member State and endowed with the powers referred to in Article 28 of Directive 95/46/EC (the National Supervisory Authority) shall monitor independently the lawfulness of the processing of personal data referred to in Article 5(1) by the Member State in question, including their transmission to and from the VIS.

2. The National Supervisory Authority shall ensure that an audit of the data processing operations in the national system is carried out in accordance with relevant international auditing standards at least every four years.

3. Member States shall ensure that their National Supervisory Authority has sufficient resources to fulfil the tasks entrusted to it under this Regulation.

4. In relation to the processing of personal data in the VIS, each Member State shall designate the authority which is to be considered as controller in accordance with Article 2(d) of Directive 95/46/EC and which shall have central responsibility

for the processing of data by that Member State. Each Member State shall communicate the details of that authority to the Commission.

5. Each Member State shall supply any information requested by the National Supervisory Authorities and shall, in particular, provide them with information on the activities carried out in accordance with Articles 28 and 29(1), grant them access to the lists referred to in Article 28(4)(c) and to its records as referred to in Article 34 and allow them access at all times to all their premises.

Article 42

Supervision by the European Data Protection Supervisor

1. The European Data Protection Supervisor shall check that the personal data processing activities of the Management Authority are carried out in accordance with this Regulation. The duties and powers referred to in Articles 46 and 47 of Regulation (EC) No 45/2001 shall apply accordingly.

2. The European Data Protection Supervisor shall ensure that an audit of the Management Authority's personal data processing activities is carried out in accordance with relevant international auditing standards at least every four years. A report of such audit shall be sent to the European Parliament, the Council, the Management Authority, the Commission and the National Supervisory Authorities. The Management Authority shall be given an opportunity to make comments before the report is adopted.

3. The Management Authority shall supply information requested by the European Data Protection Supervisor, give him access to all documents and to its records referred to in Article 34(1) and allow him access to all its premises, at anytime.

Article 43

Cooperation between National Supervisory Authorities and the European Data Protection Supervisor

1. The National Supervisory Authorities and the European Data Protection Supervisor, each acting within the scope of their respective competences, shall cooperate actively within the framework of their responsibilities and shall ensure coordinated

supervision of the VIS and the national systems.

2. They shall, each acting within the scope of their respective competences, exchange relevant information, assist each other in carrying out audits and inspections, examine difficulties of interpretation or application of this Regulation, study problems
13.8.2008 EN Official Journal of the European Union L 218/77with the exercise of independent supervision or with the exercise of the rights of data subjects, draw up harmonised proposals for joint solutions to any problems and promote awareness of data protection rights, as necessary.

3. The National Supervisory Authorities and the European Data Protection Supervisor shall meet for that purpose at least twice a year. The costs and servicing of these meetings shall be borne for the account of the European Data Protection Supervisor. Rules of procedure shall be adopted at the first meeting. Further working methods shall be developed jointly as necessary.

4. A joint report of activities shall be sent to the European Parliament, the Council, the Commission and the Management Authority every two years. This report shall include a chapter of each Member State prepared by the National Supervisory Authority of that Member State.

Article 44

Data protection during the transitional period

Where the Commission delegates its responsibilities during the transitional period to another body or bodies, pursuant to Article 26(4) of this Regulation, it shall ensure that the European Data Protection Supervisor has the right and is able to exercise his tasks fully, including the carrying out of on-the-spot checks, and to exercise any other powers conferred on him by Article 47 of Regulation (EC) No 45/2001.

CHAPTER VII

FINAL PROVISIONS

Article 45

Implementation by the Commission

1. The central VIS, the national interface in each Member State and the communication infrastructure between the central VIS and the national interfaces shall be implemented by the Commission as soon as possible after the entry into force of

this Regulation, including the functionalities for processing the biometric data referred to in Article 5(1)(c).

2. The measures necessary for the technical implementation of the central VIS, the national interfaces and the communication infrastructure between the central VIS and the national interfaces shall be adopted in accordance with the procedure referred to in Article 49(2), in particular:

- (a) for entering the data and linking applications in accordance with Article 8;
- (b) for accessing the data in accordance with Article 15 and Articles 17 to 22;
- (c) for amending, deleting and advance deleting of data in accordance with Articles 23 to 25;
- (d) for keeping and accessing the records in accordance with Article 34;
- (e) for the consultation mechanism and the procedures referred to in Article 16.

P36: Regulation 767-2008.pdf - 36:24 [Committee 1. The Commission sh..] (20:1640-21:204) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Committee

1. The Commission shall be assisted by the committee set up by Article 51(1) of Regulation (EC) No 1987/2006 of the European Parliament and of the Council of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) (

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2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be two months.

3. Where reference is made to this paragraph, Article 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be two months.

Article 50

Monitoring and evaluation

1. The Management Authority shall ensure that procedures are in place to monitor the functioning of the VIS against objectives relating to output, cost-effectiveness, security and quality of service.
2. For the purposes of technical maintenance, the Management Authority shall have access to the necessary information relating to the processing operations performed in the VIS.
3. Two years after the VIS is brought into operation and every two years thereafter, the Management Authority shall submit to the European Parliament, the Council and the Commission a report on the technical functioning of the VIS, including the security thereof.
4. Three years after the VIS is brought into operation and every four years thereafter, the Commission shall produce an overall evaluation of the VIS. This overall evaluation shall include an examination of results achieved against objectives and an assessment of the continuing validity of the underlying rationale, the application of this Regulation in respect of the VIS, the security of the VIS, the use made of the provisions referred to in Article 31 and any implications for future operations. The Commission shall transmit the evaluation to the European Parliament and the Council.
5. Before the end of the periods referred to in Article 18(2) the Commission shall report on the technical progress made regarding the use of fingerprints at external borders and its implications for the duration of searches using the number of the visa sticker in combination with verification of the fingerprints of the visa holder, including whether the expected duration of such a search entails excessive waiting time at border crossing points. The Commission shall transmit the evaluation to the European Parliament and the Council. On the basis of that evaluation, the European Parliament or the Council may invite the Commission to propose, if necessary, appropriate amendments to this Regulation.

6. Member States shall provide the Management Authority and the Commission with the information necessary to draft the reports referred to in paragraph 3, 4 and 5.

7. The Management Authority shall provide the Commission with the information necessary to produce the overall evaluations referred to in paragraph 4.

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) OJ L 381, 28.12.2006, p. 4.8. During the transitional period before the Management Authority takes up its responsibilities, the Commission shall be responsible for producing and submitting the reports referred to in paragraph 3.

P37: Regulation 810-2009.pdf - 37:24 [THE EUROPEAN PARLIAMENT AND TH..] (1:245-1:585) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,

Having regard to the Treaty establishing the European
Community, and in particular Article 62(2)(a) and (b)(ii) thereof,

Having regard to the proposal from the Commission,

Acting in accordance with the procedure laid down in
Article 251 of the Treaty (

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),

Whereas:

P37: Regulation 810-2009.pdf - 37:25 [(13) In order to facilitate th..] (2:1793-2:4708) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

(13) In order to facilitate the procedure, several forms of
cooperation should be envisaged, such as limited repre
sentation, co-location, common application centres,
recourse to honorary consuls and cooperation with

external service providers, taking into account in particular data protection requirements set out in Directive 95/46/EC. Member States should, in accordance with the conditions laid down in this Regulation, determine the type of organisational structure which they will use in each third country.

(14) It is necessary to make provision for situations in which a Member State decides to cooperate with an external service provider for the collection of applications. Such a decision may be taken if, in particular circumstances or for reasons relating to the local situation, cooperation with other Member States in the form of representation, limited representation, co-location or a Common Application Centre proves not to be appropriate for the Member State concerned. Such arrangements should be established in compliance with the general principles for issuing visas and with the data protection requirements set out in Directive 95/46/EC. In addition, the need to avoid visa shopping should be taken into consideration when establishing and implementing such arrangements.

(15) Where a Member State has decided to cooperate with an external service provider, it should maintain the possibility for all applicants to lodge applications directly at its diplomatic missions or consular posts.

(16) A Member State should cooperate with an external service provider on the basis of a legal instrument which should contain provisions on its exact responsibilities, on direct and total access to its premises, information for applicants, confidentiality and on the circumstances, conditions and procedures for suspending or terminating the cooperation.

(17) This Regulation, by allowing Member States to cooperate with external service providers for the collection of applications while establishing the 'one-stop' principle for the lodging of applications, creates a derogation from the general rule that an applicant must appear in person at a diplomatic mission or consular post. This is without

prejudice to the possibility of calling the applicant for a personal interview.

(18) Local Schengen cooperation is crucial for the harmonised application of the common visa policy and for proper assessment of migratory and/or security risks. Given the differences in local circumstances, the operational application of particular legislative provisions should be assessed among Member States' diplomatic missions and consular posts in individual locations in order to ensure a harmonised application of the legislative provisions to prevent visa shopping and different treatment of visa applicants

P37: Regulation 810-2009.pdf - 37:26 [(32) As regards Iceland and No..] (3:3857-3:4428) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

(32) As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen acquis within the meaning of the Agreement concluded between the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (

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) which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC (

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) on certain arrangements for the application of that Agreement.

P37: Regulation 810-2009.pdf - 37:27 [Article 13 Biometric identifie..] (8:2490-8:2927) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 13

Biometric identifiers

1. Member States shall collect biometric identifiers of the applicant comprising a photograph of him and his 10 fingerprints in accordance with the safeguards laid down in the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms, in the Charter of Fundamental Rights of the European Union and in the United Nations Convention on the Rights of the Child.

P37: Regulation 810-2009.pdf - 37:28 [TITLE VI FINAL PROVISIONS Arti..] (22:3163-22:3443) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

TITLE VI

FINAL PROVISIONS

Article 49

Arrangements in relation to the Olympic Games and

Paralympic Games

Member States hosting the Olympic Games and Paralympic

Games shall apply the specific procedures and conditions facili

tating the issuing of visas set out in Annex XI.

P38: Schengen Border Code.pdf - 38:18 [Article 3 Scope This Regulatio..] (5:317-5:653) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 3

Scope

This Regulation shall apply to any person crossing the internal or external borders of Member States, without prejudice to:

(a) the rights of persons enjoying the Community right of free movement;

(b) the rights of refugees and persons requesting international protection, in particular as regards non-refoulement.

P38: Schengen Border Code.pdf - 38:19 [Article 6 Conduct of border checks] (6:2717-6:3161) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 6

Conduct of border checks

1. Border guards shall, in the performance of their duties, fully respect human dignity.

Any measures taken in the performance of their duties shall be proportionate to the objectives pursued by such measures.

2. While carrying out border checks, border guards shall not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

P38: Schengen Border Code.pdf - 38:20 [Article 14 Staff and resources ..] (10:1919-10:3225) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 14

Staff and resources for border control

Member States shall deploy appropriate staff and resources in sufficient numbers to carry out border control at the external borders, in accordance with Articles 6 to 13, in such a way as to ensure an efficient, high and uniform level of control at their external borders.

Article 15

Implementation of controls

1. The border control provided for by Articles 6 to 13 shall be carried out by border guards in accordance with the provisions of this Regulation and with national law.

When carrying out that border control, the powers to instigate criminal proceedings conferred on border guards by national law and falling outside the scope of this Regulation shall remain unaffected.

Member States shall ensure that the border guards are specialised and properly trained professionals. Member States shall encourage border guards to learn languages, in particular those necessary for the carrying-out of their tasks.

2. Member States shall notify to the Commission the list of national services responsible for border control under their national law in accordance with Article 34.
3. To control borders effectively, each Member State shall ensure close and constant cooperation between its national services responsible for border control.

P39: Handbook Organisation Visa Sections.pdf - 39:4 [THE EUROPEAN COMMISSION, Havin..] (3:372-5:1708) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)

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, and in

particular Article 51 thereof,

Whereas:

(1) Regulation (EC) No 810/2009 lays down the Union rules for the issuing of visas for transit through, or intended stays in, the territory of Member States not exceeding three months in any six-month period.

(2) Article 51 of the Visa Code states that operational instructions on the practical application of the provisions of the Regulation should be drawn up with a view to ensuring harmonised implementation of these provisions. A Handbook for the processing of visa applications and the modification of issued visas has been drawn up. It is also appropriate to prepare a 'Handbook for the organisation of visa sections and local Schengen cooperation'. This should contain operational instructions, best practices and recommendations for the central and consular authorities of the Member States responsible for the organisation and functioning of consular services and cooperation between Member States' authorities at central and local level, including the functioning of local Schengen cooperation.

(3) In order to ensure its optimal use by all relevant Member States' authorities, the Commission should make the Handbook available to Member States in electronic form, as set out in Article 53 (2) of the Visa Code.

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OJ L 243, 15.9.2009, p. 1. EN EN

(4) The Commission will ensure that the Handbook is updated regularly.

(5) In order to enhance harmonised implementation of Union rules relating to the organisation and functioning of consular services and cooperation between Member States' authorities, Member States should instruct their relevant national authorities to use the annexed Handbook as a guide when organising visa sections and cooperating with other Member States' authorities at central and local level.

(6) Member States should use the Handbook for the purpose of informing staff affected to consular duties, in particular concerning the tasks and functioning of local Schengen cooperation.

(7) In accordance with Article 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark did not take part in the adoption of Regulation (EC) No 810/2009 and is not bound by it, nor subject to its application. However, given that Regulation (EC) No 810/2009 builds upon the Schengen acquis pursuant to Title IV of Part Three of the Treaty establishing the European Community, in accordance with Article 4 of that Protocol Denmark notified by letter of 2 February 2010 the transposition of this acquis into its national law. It is therefore bound under international law to implement this Decision.

(8) This Decision constitutes a development of the provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis

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. The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.

(9) This Decision constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis

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; Ireland is therefore not taking part in its adoption and is not subject to its application.

(10) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of

Norway concerning the latter's association with the implementation, application and development of the Schengen acquis

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, which fall within the area referred to in Article

1, point B of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of that Agreement.

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(11) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European

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OJ L 131, 1.6.2000, p. 43.

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OJ L 64, 7.3.2002, p. 20.

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OJ L 176, 10.7.1999, p. 36.

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OJ L 176, 10.7.1999, p. 31. EN EN

Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis

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, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC

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read in conjunction with Article 3 of Council Decision 2008/146/EC

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(12) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement signed between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the association of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC read in conjunction

with Article 3 of Council Decision 2008/261/EC

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and Article 3 of Decision

2008/262/EC

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(13) As regards Cyprus, this Decision constitutes provisions building upon, or otherwise related to, the Schengen acquis or otherwise related to it within the meaning of Article 3(2) of the 2003 Act of Accession.

(14) As regards Bulgaria and Romania, this Decision constitutes provisions building on the Schengen acquis or otherwise related to it within the meaning of Article 4(2) of the 2005 Act of Accession.

(15) The measures provided for in this Decision are in accordance with the opinion of the Visa Committee,

HAS ADOPTED THIS DECISION:

P39: Handbook Organisation Visa Sections.pdf - 39:5 [FOREWORD This Handbook contain..] (8:15-8:815) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

FOREWORD

This Handbook contains guidelines for organising visa sections and local Schengen cooperation. It is to be used for the implementation of European Union legislation on the common visa policy by Member States' central and consular authorities in charge of running consular services and ensuring cooperation between Member States' authorities, at central and local level.

This Handbook has been drawn up pursuant to Article 51 of the Visa Code. It does not create any legally binding obligations on Member States, nor does it establish any new rights or obligations for the persons who might be concerned by it. Only those legal acts on which the Handbook is based, or to which it refers, produce legally binding effects and can be invoked before a national jurisdiction.

P40: Handbook Processing Visa Application.pdf - 40:3 [The Handbook is drawn up on th..] (9:1070-9:1527) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

The Handbook is drawn up on the basis of Article 51 of the Visa Code. It neither creates any legally binding obligations upon Member States nor establishes any new rights and obligations for the persons who might be concerned by it, but aims to ensure a harmonised application of the legal provisions. Only the legal acts on which the Handbook is based, or refers to, produce legally binding effects and can be invoked before a national jurisdiction.

P42: Charter of Human Rights.pdf - 42:22 [PREAMBLE The peoples of Europe..] (8:1-8:2070) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

PREAMBLE

The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values.

Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice.

The Union contributes to the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States and the organisation of their public authorities at national, regional and local levels; it seeks to promote balanced and sustainable development and ensures free movement of persons, goods, services and capital, and the freedom of establishment.

To this end, it is necessary to strengthen the protection of fundamental rights in the light of changes in society, social progress and scientific and technological developments by making those rights more visible in a Charter.

This Charter reaffirms, with due regard for the powers and tasks of the Community and the Union and the principle of subsidiarity, the rights as they result, in particular, from the constitutional traditions and international obligations common to the Member States, the Treaty on European Union, the Community Treaties, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Social Charters adopted by the Community and by the Council of Europe and the case-law of the Court of Justice of the European Communities and of the European Court of Human Rights.

Enjoyment of these rights entails responsibilities and duties with regard to other persons, to the human community and to future generations.

The Union therefore recognises the rights, freedoms and principles set out hereafter.

P43: Convention on Human Rights.pdf - 43:8 [The text of the Convention is ..] (3:4-3:1230) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

The text of the Convention is presented as amended by the provisions of Protocol No. 14 (ETS no. 194) as from its entry into force on 1 June 2010. The text of the Convention had previously been amended according to the provisions of Protocol No. 3 (ETS no. 45), which entered into force on 21 September 1970, of Protocol No. 5 (ETS no. 55), which entered into force on 20 December 1971, and of Protocol No. 8 (ETS no. 118), which entered into force on 1 January 1990, and comprised also the text of Protocol No. 2 (ETS no. 44) which, in accordance with Article 5 § 3 thereof, had been an integral part of the Convention since its entry into force on 21 September 1970. All provisions which had been amended or added by these Protocols were replaced by Protocol No. 11 (ETS no. 155), as from the date of its entry into force on 1 November 1998. As from that date, Protocol No. 9 (ETS no. 140), which entered into force on 1 October 1994, was repealed and Protocol No. 10 (ETS no. 146) lost its purpose.

The current state of signatures and ratifications of the Convention and its Protocols as well as the complete list of declarations and reservations are available at www.conventions.coe.int.

P43: Convention on Human Rights.pdf - 43:9 [THE GOVERNMENTS SIGNATORY HERE..] (4:97-4:1343) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE GOVERNMENTS SIGNATORY HERETO, being members of the Council of Europe,
Considering the Universal Declaration of Human Rights proclaimed by the General Assembly of the United Nations on 10th December 1948;
Considering that this Declaration aims at securing the universal and effective recognition and observance of the Rights therein declared;

Considering that the aim of the Council of Europe is the achievement of greater unity between its members and that one of the methods by which that aim is to be pursued is the maintenance and further realisation of human rights and fundamental freedoms; Reaffirming their profound belief in those fundamental freedoms which are the foundation of justice and peace in the world and are best maintained on the one hand by an effective political democracy and on the other by a common understanding and observance of the human rights upon which they depend; Being resolved, as the governments of European countries which are like-minded and have a common heritage of political traditions, ideals, freedom and the rule of law, to take the first steps for the collective enforcement of certain of the rights stated in the Universal Declaration,
Have agreed as follows:

P48: COM_2014_164_EN_ACTE_f.pdf - 48:3 [Article 48 Exercise of the del..] (69:731-69:2181) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]
No memos

Article 48

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. Powers to adopt delegated acts referred to in Article 3(2) and (9), shall be conferred on the Commission for an indeterminate period of time.
3. The delegation of power referred to in Article 3(2) and (9) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated act already in force.
4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
5. A delegated act adopted pursuant to Article 3(2) and (9) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or

if before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Results for question:

“How does the discourse relate to the social or cultural practices of a social group? What is/are the purposes of the discourse, explicit or implicit?”

Report: 210 quotation(s) for 1 code

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How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?

P 1: Visa Application Form.pdf - 1:13 [Harmonised application form 1 ..] (1:23-1:83) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Harmonised application form

1

Application for Schengen Visa

P 1: Visa Application Form.pdf - 1:14 [Such data as well as data conc..] (4:855-4:1657) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Such data as well as data concerning the decision taken on my application or a decision whether to annul, revoke or extend a visa issued will be entered into, and stored in the Visa Information System (VIS)

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for a maximum period of five years, during which it will be accessible to the visa authorities and the authorities competent for carrying out checks on visas at external borders and within the Member States, immigration and asylum authorities in the Member States for the purposes of verifying whether the conditions for the legal entry into, stay and residence on the territory of the Member States are fulfilled, of identifying persons who do not or who no longer fulfil these conditions, of examining an asylum application and of determining responsibility for such examination.

P 2: Regulation No539-2001.pdf - 2:14 [This Regulation provides for f..] (4:415-4:662) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

This Regulation provides for full harmonisation as regards the third countries whose nationals are subject to the visa requirement for the crossing of Member States' external borders and those whose nationals are exempt from that requirement,

P 2: Regulation No539-2001.pdf - 2:24 [listing the third countries wh..] (1:180-1:349) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

P 2: Regulation No539-2001.pdf - 2:30 [Article 4 1. A Member State ma..] (6:1439-7:1173) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

Article 4

1. A Member State may provide for exceptions from the visa requirement provided for by Article 1(1) or from the exemption from the visa requirement provided for by Article 1(2) as regards:

▼M5

▼C1

(a) holders of diplomatic passports, service/official passports or special passports in accordance with one of the procedures laid down in Articles 1(1) and 2(1) of Regulation (EC) No 789/2001 of 24 April 2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications (

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▼B

(b) civilian air and sea crew;

(c) the flight crew and attendants on emergency or rescue flights and other helpers in the event of disaster or accident;

(d) the civilian crew of ships navigating in international waters;

▼M3

2001R0539 — EN — 11.01.2011 — 007.001 — 6

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) OJ L 116, 26.4.2001, p. 2. Regulation as amended by Decision 2004/927/EC

(OJ L 396, 31.12.2004, p. 45).(e) the holders of laissez-passer issued by some intergovernmental international organisations to their officials.

▼M5

▼C1

2. A Member State may exempt from the visa requirement:

(a) a school pupil having the nationality of a third country listed in Annex I who resides in a third country listed in Annex II or in Switzerland and Liechtenstein and is travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question;

(b) recognised refugees and stateless persons if the third country where they reside and which issued their travel document is one of the third countries listed in Annex II;

(c) members of the armed forces travelling on NATO or Partnership for Peace business and holders of identification and movement orders provided for by the Agreement of 19 June 1951 between the Parties to the North Atlantic Treaty Organisation regarding the status of their forces.

▼B

3. A Member State may provide for exceptions from the exemption from the visa requirement provided for in Article 1(2) as regards persons carrying out a paid activity during their stay.

P 2: Regulation No539-2001.pdf - 2:33 [Under Article 62, point (2)(b)..] (2:529-2:1070) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Under Article 62, point (2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

P 2: Regulation No539-2001.pdf - 2:34 [This Regulation follows on fro..] (2:1077-2:1719) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

This Regulation follows on from the Schengen acquis in accordance with the Protocol integrating it into the framework of the European Union, hereinafter referred to as the 'Schengen Protocol'. It does not affect Member States' obligations deriving from the acquis as defined in Annex A to Decision 1999/435/EC of 20 May 1999 concerning the definition of the Schengen acquis for the purpose of determining, in conformity with the relevant provisions of the Treaty establishing the European Community and the Treaty on European Union, the legal basis for each of the provisions or decisions which constitute the acquis (

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P 2: Regulation No539-2001.pdf - 2:35 [The determination of those thi..] (3:460-3:1179) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity. Provision should be made for a Community mechanism enabling this principle of reciprocity to be implemented if one of the third countries included in Annex II to this Regulation decides to make the nationals of one or more Member States subject to the visa obligation.

P 2: Regulation No539-2001.pdf - 2:37 [As regards stateless persons a..] (3:1391-3:2232) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

As regards stateless persons and recognised refugees, without prejudice to obligations under international agreements signed by the Member States and in particular the European Agreement on the Abolition of Visas for Refugees, signed at Strasbourg on 20 April 1959, the decision as to the visa requirement or exemption should be based on the third country in which these persons reside and which issued their travel documents. However, given the differences in the national legislation applicable to stateless persons and to recognised refugees, Member States may decide whether these categories of persons shall be subject to the visa requirement, where the third country in which these persons reside and which issued their travel documents is a third country whose nationals are exempt from the visa requirement.

P 2: Regulation No539-2001.pdf - 2:38 [In specific cases where special visa rules are warranted, Member States may exempt certain categories of persons from the visa requirement or impose it on them in accordance with public international law or custom.] (3:2239-3:2458) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

In specific cases where special visa rules are warranted, Member States may exempt certain categories of persons from the visa requirement or impose it on them in accordance with public international law or custom.

P 2: Regulation No539-2001.pdf - 2:40 [In accordance with the principle of proportionality stated in Article 5 of the Treaty, enacting a Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders, and those whose nationals are exempt from that requirement, is both a necessary and an appropriate means of ensuring that the common visa rules operate efficiently.] (4:6-4:401) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

In accordance with the principle of proportionality stated in Article 5 of the Treaty, enacting a Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders, and those whose nationals are exempt from that requirement, is both a necessary and an appropriate means of ensuring that the common visa rules operate efficiently

P 2: Regulation No539-2001.pdf - 2:41 [Article 1 1. Nationals of third countries on the list in Annex I shall be required to be in possession of a visa when crossing the external borders of the Member States.] (4:695-4:868) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 1

1. Nationals of third countries on the list in Annex I shall be required to be in possession of a visa when crossing the external borders of the Member States.

P 2: Regulation No539-2001.pdf - 2:42 [Nationals of third countries o..] (4:1363-4:1525) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Nationals of third countries on the list in Annex II shall be exempt from the requirement set out in paragraph 1 for stays of no more than three months in all.

P 2: Regulation No539-2001.pdf - 2:43 [recognised refugees and statel..] (5:3-5:209) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

recognised refugees and stateless persons and other persons who do not hold the nationality of any country who reside in a Member State and are holders of a travel document issued by that Member State.

P 2: Regulation No539-2001.pdf - 2:44 [Where a third country listed i..] (5:515-5:2372) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Where a third country listed in Annex II introduces a visa requirement for nationals of a Member State, the following provisions shall apply:

(a) within 90 days of such introduction, or its announcement, the Member State concerned shall notify the Council and the Commission in writing; the notification shall be published in the C series of the Official Journal of the European Union. The notification shall specify the date of implementation of the measure and the type of travel documents and visas concerned.

If the third country decides to lift the visa obligation before the expiry of this deadline, the notification becomes superfluous;

(b) the Commission shall immediately after publication of that notification and in consultation with the Member State concerned, take steps with the authorities of the third country in order to restore

visa-free travel;

(c) within 90 days after publication of that notification, the Commission, in consultation with the Member State concerned, shall report to the Council. The report may be accompanied by a proposal providing for the temporary restoration of the visa requirement for nationals of the third country in question. The Commission may also present this proposal after deliberations in Council on its report. The Council shall act on such proposal by a qualified majority within three months;

(d) if it considers it necessary, the Commission may present a proposal for the temporary restoration of the visa requirement for nationals of the third country referred to in subparagraph (c) without a prior report. The procedure provided for in subparagraph (c) shall apply to that proposal. The Member State concerned may state whether it wishes the Commission to refrain from the temporary restoration of such visa requirement without a prior report;

P 2: Regulation No539-2001.pdf - 2:45 [the procedure referred to in s..] (5:2379-6:614) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

the procedure referred to in subparagraphs (c) and (d) does not affect the Commission's right to present a proposal amending this Regulation in order to transfer the third country concerned to Annex I. Where a temporary measure as referred to in subparagraphs (c) and (d) has been decided, the proposal amending this Regulation shall be presented by the Commission at the latest nine months after the entry into force of the temporary measure. Such a proposal shall also include provisions for lifting of temporary measures, which may have been introduced pursuant to the procedures referred to in subparagraphs (c) and (d). In the meantime the Commission will continue its efforts in order to induce the authorities of the third country in question to reinstall visa-free travel for the nationals of the Member State concerned;

▼C1

2001R0539 — EN — 11.01.2011 — 007.001 — 5(f) where the third country in question abolishes the visa requirement,

the Member State shall immediately notify the Council and the Commission to that effect. The notification shall be published in the C series of the Official Journal of the European Union. Any temporary measure decided upon under subparagraph (d) shall terminate seven days after the publication in the Official Journal. In case the third country in question has introduced a visa requirement for nationals of two or more Member States the termination of the temporary measure will only terminate after the last publication.

P 2: Regulation No539-2001.pdf - 2:49 [(1) Under Article 62, point (2..)] (2:525-2:1070) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(1) Under Article 62, point (2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

P 2: Regulation No539-2001.pdf - 2:50 [(5) The determination of those..] (3:456-3:1178) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(5) The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications

of regional coherence and reciprocity. Provision should be made for a Community mechanism enabling this principle of reciprocity to be implemented if one of the third countries included in Annex II to this Regulation decides to make the nationals of one or more Member States subject to the visa obligation

P 2: Regulation No539-2001.pdf - 2:51 [3. A Member State may provide ..] (7:985-7:1173) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

3. A Member State may provide for exceptions from the exemption from the visa requirement provided for in Article 1(2) as regards persons carrying out a paid activity during their stay.

P 2: Regulation No539-2001.pdf - 2:52 [Article 4 1. A Member State ma..] (6:1439-7:978) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 4

1. A Member State may provide for exceptions from the visa requirement provided for by Article 1(1) or from the exemption from the visa requirement provided for by Article 1(2) as regards:

▼M5

▼C1

(a) holders of diplomatic passports, service/official passports or special passports in accordance with one of the procedures laid down in Articles 1(1) and 2(1) of Regulation (EC) No 789/2001 of 24 April 2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications (

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(b) civilian air and sea crew;

(c) the flight crew and attendants on emergency or rescue flights and

other helpers in the event of disaster or accident;
(d) the civilian crew of ships navigating in international waters;

▼M3

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) OJ L 116, 26.4.2001, p. 2. Regulation as amended by Decision 2004/927/EC
(OJ L 396, 31.12.2004, p. 45).(e) the holders of laissez-passer issued by some intergovernmental international organisations to their officials.

▼M5

▼C1

2. A Member State may exempt from the visa requirement:

- (a) a school pupil having the nationality of a third country listed in Annex I who resides in a third country listed in Annex II or in Switzerland and Liechtenstein and is travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question;
- (b) recognised refugees and stateless persons if the third country where they reside and which issued their travel document is one of the third countries listed in Annex II;
- (c) members of the armed forces travelling on NATO or Partnership for Peace business and holders of identification and movement orders provided for by the Agreement of 19 June 1951 between the Parties to the North Atlantic Treaty Organisation regarding the status of their forces.

P 4: EU Visa Code, consolidated version.pdf - 4:2 [As regards visa policy, the es..] (2:988-2:1711) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

As regards visa policy, the establishment of a 'common corpus' of legislation, particularly via the consolidation and development of the *acquis* (the relevant provisions of the Convention implementing the Schengen Agreement of 14 June 1985 (

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) and the
Common Consular Instructions (3
) , is one of the fundamental
components of 'further development of the common visa policy
as part of a multi-layer system aimed at facilitating legitimate
travel and tackling illegal immigration through further harmon
isation of national legislation and handling practices at local
consular missions', as defined in the Hague Programme:
strengthening freedom, security and justice in the European
Union (4
).

P 4: EU Visa Code, consolidated version.pdf - 4:20 [Supporting documents 1. When a..] (15:2712-16:672) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

Supporting documents

1. When applying for a uniform visa, the applicant shall present:

(a) documents indicating the purpose of the journey;

▼B

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) OJ L 267, 27.9.2006, p. 41.(b) documents in relation to accommodation, or proof of sufficient means to cover his accommodation;

(c) documents indicating that the applicant possesses sufficient means of subsistence both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or that he is in a position to acquire such means lawfully, in accordance with Article 5(1)(c) and (3) of the Schengen Borders Code;

(d) information enabling an assessment of the applicant's intention to leave the territory of the Member States before the expiry of the

visa applied for.

P 4: EU Visa Code, consolidated version.pdf - 4:39 [Member States should be presen..] (2:1718-2:2141) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Member States should be present or represented for visa purposes in all third countries whose nationals are subject to visa requirements. Member States lacking their own consulate in a given third country or in a certain part of a given third country should endeavour to conclude representation arrangements in order to avoid a disproportionate effort on the part of visa applicants to have access to consulates.

P 4: EU Visa Code, consolidated version.pdf - 4:40 [It is necessary to set out rul..] (3:5-3:530) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

It is necessary to set out rules on the transit through international areas of airports in order to combat illegal immigration. Thus nationals from a common list of third countries should be required to hold airport transit visas. Nevertheless, in urgent cases of mass influx of illegal immigrants, Member States should be allowed to impose such a requirement on nationals of third countries other than those listed in the common list. Member States' individual decisions should be reviewed on an annual basis.

P 4: EU Visa Code, consolidated version.pdf - 4:75 [(1) In accordance with Article..] (2:491-2:701) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(1) In accordance with Article 61 of the Treaty, the creation of an area in which persons may move freely should be accompanied by measures with respect to external border controls, asylum and immigration.

P 4: EU Visa Code, consolidated version.pdf - 4:76 [Provided that certain conditio..] (3:1194-3:1563) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Provided that certain conditions are fulfilled, multiple-entry visas should be issued in order to lessen the administrative burden of Member States' consulates and to facilitate smooth travel for frequent or regular travellers. Applicants known to the consulate for their integrity and reliability should as far as possible benefit from a simplified procedure.

P 4: EU Visa Code, consolidated version.pdf - 4:77 [Because of the registration of..] (3:1570-3:2065) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Because of the registration of biometric identifiers in the Visa Information System (VIS) as established by Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (

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), the appearance of the applicant in person — at least for the first application — should be one of the basic requirements for the application for a visa

P 4: EU Visa Code, consolidated version.pdf - 4:78 [Where a Member State has decid..] (4:1342-4:1558) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

Where a Member State has decided to cooperate with an external service provider, it should maintain the possibility for all applicants to lodge applications directly at its diplomatic missions or consular posts.

P 4: EU Visa Code, consolidated version.pdf - 4:79 [A Member State should cooperat..] (4:1566-4:1926) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

A Member State should cooperate with an external service provider on the basis of a legal instrument which should contain provisions on its exact responsibilities, on direct and total access to its premises, information for applicants, confidentiality and on the circumstances, conditions and procedures for suspending or terminating the cooperation.

P 4: EU Visa Code, consolidated version.pdf - 4:81 [Local Schengen cooperation is ..] (4:2374-4:2901) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

Local Schengen cooperation is crucial for the harmonised application of the common visa policy and for proper assessment of migratory and/or security risks. Given the differences in local circumstances, the operational application of particular legislative provisions should be assessed among Member States' diplomatic missions and consular posts in individual locations in order to ensure a harmonised application of the legislative provisions to prevent visa shopping and different treatment of visa applicants.

P 4: EU Visa Code, consolidated version.pdf - 4:82 [In order to ensure the harmoni..] (5:702-5:923) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

In order to ensure the harmonised application of this Regulation at operational level, instructions should be drawn up on the practice and procedures to be followed by Member States when processing visa applications.

P 4: EU Visa Code, consolidated version.pdf - 4:83 [When a Member State hosts the ..] (5:1851-5:2024) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

When a Member State hosts the Olympic Games and the Paralympic Games, a particular scheme facilitating the issuing of visas to members of the Olympic family should apply

P 4: EU Visa Code, consolidated version.pdf - 4:86 [Article 2 Definitions For the ..] (8:1-8:230) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 2

Definitions

For the purpose of this Regulation the following definitions shall apply:

1. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty;

P 4: EU Visa Code, consolidated version.pdf - 4:87 [1. This Regulation establishes..] (7:1290-7:2803) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. This Regulation establishes the procedures and conditions for issuing visas for transit through or intended stays in the territory of the Member States not exceeding three months in any six-month period.
2. The provisions of this Regulation shall apply to any third-country national who must be in possession of a visa when crossing the external borders of the Member States pursuant to Council Regulation (EC) No

539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (

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), without

prejudice to:

(a) the rights of free movement enjoyed by third-country nationals who are family members of citizens of the Union;

(b) the equivalent rights enjoyed by third-country nationals and their family members, who, under agreements between the Community and its Member States, on the one hand, and these third countries, on the other, enjoy rights of free movement equivalent to those of Union citizens and members of their families.

3. This Regulation also lists the third countries whose nationals are required to hold an airport transit visa by way of exception from the principle of free transit laid down in Annex 9 to the Chicago Convention on International Civil Aviation, and establishes the procedures and conditions for issuing visas for the purpose of transit through the international transit areas of Member States' airports.

P 4: EU Visa Code, consolidated version.pdf - 4:88 [TITLE II AIRPORT TRANSIT VISA ..] (9:1-9:793) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

TITLE II

AIRPORT TRANSIT VISA

Article 3

Third-country nationals required to hold an airport transit visa

1. Nationals of the third countries listed in Annex IV shall be required to hold an airport transit visa when passing through the international transit areas of airports situated on the territory of the Member States.

2. In urgent cases of mass influx of illegal immigrants, individual Member States may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on their

territory. Member States shall notify the Commission of such decisions before their entry into force and of withdrawals of such an airport transit visa requirement.

P 4: EU Visa Code, consolidated version.pdf - 4:89 [4. Member States shall coopera..] (11:134-11:463) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

4. Member States shall cooperate to prevent a situation in which an application cannot be examined and decided on because the Member State that is competent in accordance with paragraphs 1 to 3 is neither present nor represented in the third country where the applicant lodges the application in accordance with Article 6.

P 4: EU Visa Code, consolidated version.pdf - 4:90 [Article 10 General rules for l..] (13:221-13:549) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 10

General rules for lodging an application

1. Without prejudice to the provisions of Articles 13, 42, 43 and 45, applicants shall appear in person when lodging an application.
2. Consulates may waive the requirement referred to in paragraph 1 when the applicant is known to them for his integrity and reliability.

P 4: EU Visa Code, consolidated version.pdf - 4:91 [4. Member States may require a..] (16:1197-16:2099) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

4. Member States may require applicants to present a proof of sponsorship and/or private accommodation by completing a form drawn up by each Member State. That form shall indicate in particular:
- (a) whether its purpose is proof of sponsorship and/or of accommodation;
 - (b) whether the host is an individual, a company or an organisation;

- (c) the host's identity and contact details;
- (d) the invited applicant(s);
- (e) the address of the accommodation;
- (f) the length and purpose of the stay;
- (g) possible family ties with the host.

In addition to the Member State's official language(s), the form shall be drawn up in at least one other official language of the institutions of the European Union. The form shall provide the person signing it with the information required pursuant to Article 37(1) of the VIS Regulation. A specimen of the form shall be notified to the Commission.

P 4: EU Visa Code, consolidated version.pdf - 4:92 [1. Applicants for a uniform vi..] (17:39-17:414) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

1. Applicants for a uniform visa for one or two entries shall prove that they are in possession of adequate and valid travel medical insurance to cover any expenses which might arise in connection with repatriation for medical reasons, urgent medical attention and/or emergency hospital treatment or death, during their stay(s) on the territory of the Member States.

P 4: EU Visa Code, consolidated version.pdf - 4:93 [1. In the examination of an ap..] (20:1234-20:1742) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code, and particular consideration shall be given to assessing whether the applicant presents a risk of illegal immigration or a risk to the security of the Member States and whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for.

P 4: EU Visa Code, consolidated version.pdf - 4:94 [3. While checking whether the ..] (20:2052-21:1391) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

3. While checking whether the applicant fulfils the entry conditions, the consulate shall verify:

- (a) that the travel document presented is not false, counterfeit or forged;
- (b) the applicant's justification for the purpose and conditions of the intended stay, and that he has sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is in a position to acquire such means lawfully;
- (c) whether the applicant is a person for whom an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry;

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2009R0810 — EN — 20.03.2012 — 002.001 — 20(d) that the applicant is not considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where no alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds;

- (e) that the applicant is in possession of adequate and valid travel medical insurance, where applicable.

4. The consulate shall, where applicable, verify the length of previous and intended stays in order to verify that the applicant has not exceeded the maximum duration of authorised stay in the territory of the Member States, irrespective of possible stays authorised under a national long-stay visa or a residence permit issued by another Member State.

5. The means of subsistence for the intended stay shall be assessed in accordance with the duration and the purpose of the stay and by reference to average prices in the Member State(s) concerned for board and lodging in budget accommodation, multiplied by the number of days stayed, on the basis of the reference amounts set by

the Member States in accordance with Article 34(1)(c) of the Schengen Borders Code. Proof of sponsorship and/or private accommodation may also constitute evidence of sufficient means of subsistence.

P 4: EU Visa Code, consolidated version.pdf - 4:95 [2. Without prejudice to Articl..] (23:299-23:1353) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

2. Without prejudice to Article 12(a), multiple-entry visas shall be issued with a period of validity between six months and five years, where the following conditions are met:

(a) the applicant proves the need or justifies the intention to travel frequently and/or regularly, in particular due to his occupational or family status, such as business persons, civil servants engaged in regular official contacts with Member States and EU institutions, representatives of civil society organisations travelling for the purpose of educational training, seminars and conferences, family members of citizens of the Union, family members of third-country nationals legally residing in Member States and seafarers; and
(b) the applicant proves his integrity and reliability, in particular the lawful use of previous uniform visas or visas with limited territorial validity, his economic situation in the country of origin and his genuine intention to leave the territory of the Member States before the expiry of the visa applied for.

P 4: EU Visa Code, consolidated version.pdf - 4:96 [1. A visa with limited territo..] (23:1570-23:2815) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. A visa with limited territorial validity shall be issued exceptionally, in the following cases:

(a) when the Member State concerned considers it necessary on humanitarian grounds, for reasons of national interest or because of international obligations,
(i) to derogate from the principle that the entry conditions laid down in Article 5(1)(a), (c), (d) and (e) of the Schengen

Borders Code must be fulfilled;

(ii) to issue a visa despite an objection by the Member State consulted in accordance with Article 22 to the issuing of a uniform visa; or

(iii) to issue a visa for reasons of urgency, although the prior consultation in accordance with Article 22 has not been carried out;

or

(b) when for reasons deemed justified by the consulate, a new visa is issued for a stay during the same six-month period to an applicant who, over this six-month period, has already used a uniform visa or a visa with limited territorial validity allowing for a stay of three months.

2. A visa with limited territorial validity shall be valid for the territory of the issuing Member State. It may exceptionally be valid for the territory of more than one Member State, subject to the consent of each such Member State.

P 4: EU Visa Code, consolidated version.pdf - 4:97 [1. Without prejudice to Article..] (26:1024-27:425) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. Without prejudice to Article 25(1), a visa shall be refused:

(a) if the applicant:

(i) presents a travel document which is false, counterfeit or forged;

(ii) does not provide justification for the purpose and conditions of the intended stay;

(iii) does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;

(iv) has already stayed for three months during the current six-month period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial

validity;

(v) is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;

(vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds; or

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2009R0810 — EN — 20.03.2012 — 002.001 — 26(vii) does not provide proof of holding adequate and valid travel medical insurance, where applicable;

or

(b) if there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.

P 4: EU Visa Code, consolidated version.pdf - 4:98 [1. In exceptional cases, visas..] (28:2670-29:377) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. In exceptional cases, visas may be issued at border crossing points if the following conditions are satisfied:

(a) the applicant fulfils the conditions laid down in Article 5(1)(a), (c),

(d) and (e) of the Schengen Borders Code;

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 28(b) the applicant has not been in a position to apply for a visa in advance and submits, if required, supporting documents

substantiating unforeseeable and imperative reasons for entry; and

(c) the applicant's return to his country of origin or residence or transit through States other than Member States fully implementing the Schengen acquis is assessed as certain.

P 4: EU Visa Code, consolidated version.pdf - 4:99 [1. Member States shall be resp..] (30:178-30:919) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. Member States shall be responsible for organising the visa sections of their consulates.

In order to prevent any decline in the level of vigilance and to protect staff from being exposed to pressure at local level, rotation schemes for staff dealing directly with applicants shall be set up, where appropriate. Particular attention shall be paid to clear work structures and a distinct allocation/division of responsibilities in relation to the taking of final decisions on applications. Access to consultation of the VIS and the SIS and other confidential information shall be restricted to a limited number of duly authorised staff. Appropriate measures shall be taken to prevent unauthorised access to such databases.

P 4: EU Visa Code, consolidated version.pdf - 4:100 [3. The following information s..] (37:733-37:1588) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

3. The following information shall be exchanged within local Schengen cooperation:

- (a) monthly statistics on uniform visas, visas with limited territorial validity, and airport transit visas issued, as well as the number of visas refused;
- (b) with regard to the assessment of migratory and/or security risks, information on:
 - (i) the socioeconomic structure of the host country;
 - (ii) sources of information at local level, including social security, health insurance, fiscal registers and entry-exit registrations;
 - (iii) the use of false, counterfeit or forged documents;
 - (iv) illegal immigration routes;
 - (v) refusals;
- (c) information on cooperation with transport companies;
- (d) information on insurance companies providing adequate travel medical insurance, including verification of the type of coverage and possible excess amount.

P 5: Uniform Format Visa Sticker.pdf - 5:3 [Whereas it is essential that t..] (1:1132-1:1512) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Whereas it is essential that the uniform format for visas should contain all the necessary information and meet very high technical standards, notably as regards safeguards against counterfeiting and falsification; whereas it must also be suited to use by all the Member States and bear universally recognizable security features which are clearly visible to the naked eye;

P 5: Uniform Format Visa Sticker.pdf - 5:4 [Article 4 1. Without prejudice..] (2:858-2:1387) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 4

1. Without prejudice to the relevant more extensive provisions concerning data protection, an individual to whom a visa is issued shall have the right to verify the personal particulars entered on the visa and, where appropriate, to ask for any corrections or deletions to be made.

2. No information in machine-readable form shall be given on the uniform format for visas unless it also appears in the boxes described in points 6 to 12 of the Annex, or unless it is mentioned in the relevant travel document.

P 7: Visa Reciprocity Mechanism.pdf - 7:16 [(1) The mechanism provided for..] (1:578-1:2122) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(1) The mechanism provided for in Article 1(4) of Council Regulation (EC) No 539/2001 (

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) has proved unsuitable

for dealing with situations of non-reciprocity in which a third country on the list in Annex II to that Regulation,

i.e. a third country whose nationals are exempt from the visa requirement, maintains or introduces a visa requirement for nationals from one or more Member States. Solidarity with the Member States experiencing situations of non-reciprocity requires that the existing mechanism be adapted so as to make it effective.

(2) Given the seriousness of such situations of non-reciprocity, it is essential that they should be notified without fail by the Member State(s) concerned. To ensure that the third country in question again applies visa-free travel to nationals of the Member States concerned, a mechanism should be provided which will combine measures at variable levels and intensities that can be rapidly carried out. Thus the Commission should take steps with the third country without delay, report to the Council and be able at any moment to propose that the Council adopt a provisional decision restoring the visa requirement for nationals of the third country in question. Resorting to such a provisional decision should not make it impossible to transfer the third country in question to Annex I of Regulation (EC) No 539/2001. A temporal link should also be provided between the entry into force of the provisional measure and any proposal to transfer the country to Annex I.

P 8: Visa Facilitation Agreement Albania.pdf - 8:66 [DESIRING, as a first concrete ..] (1:795-1:1100) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa-free travel regime, to facilitate people-to-people contacts as an important condition for the steady development of economic, humanitarian, cultural, scientific and other ties, by facilitating the issuing of visas to citizens of the Republic of Albania,

P 8: Visa Facilitation Agreement Albania.pdf - 8:67 [RECOGNISING that visa facilitation..] (1:1645-1:1774) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P 8: Visa Facilitation Agreement Albania.pdf - 8:68 [RECOGNISING that ifthe Republi..] (1:1374-1:1642) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

RECOGNISING that ifthe Republic ofAlbania was to reintroduce the visa requirement for EU citizens, the same facilitations granted under this agreement to the citizens of the Republic of Albania would automatically, on the basis of reciprocity, apply to EU citizens,

P 8: Visa Facilitation Agreement Albania.pdf - 8:69 [1. The visa facilitations prov..] (1:3160-1:3454) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. The visa facilitations provided in this Agreement shall apply to citizens ofthe Republic ofAlbania 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.

P 8: Visa Facilitation Agreement Albania.pdf - 8:70 [(q) for persons visiting for b..] (3:2588-3:2787) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(q) for persons visiting for burial ceremonies:
— an official document confirming the fact ofdeath as well as confirmation of the family or other relationship between the applicant and the buried;

P 8: Visa Facilitation Agreement Albania.pdf - 8:71 [1. For the following categorie..] (2:1386-3:2989) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

(a) for members of official delegations who, following an official invitation addressed to the Republic of Albania, shall participate in meetings, consultations, negotiations or exchange

programmes, as well as in events held in the territory of the Member States by intergovernmental organisations:

— a letter issued by an Albanian authority confirming that the applicant is a member of the Albanian delegation travelling to the territory of the Member States to participate in the aforementioned events, accompanied by a copy of the official invitation;

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

— a written request from a host legal person or company, organisation, or an office or branch of such legal person or company, State or local authorities of the Member States or organising committees of trade and industrial exhibitions, conferences and symposia held in the territories of the Member States, endorsed by a Chamber of Commerce of the Republic of Albania;

(c) for journalists:

— a certificate or other document issued by a professional organisation proving that the person concerned is a qualified journalist and a document issued by his/her employer stating that the purpose of the journey is to carry out journalistic work;

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

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

(e) for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange

programmes:

— a written request issued by the host organisation, a confirmation that the person is representing the civil society organisation and the certificate on establishment of

such organisation from the relevant Register issued by a State authority in accordance with the national legislation;

(f) for pupils, students, post-graduate students 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, academy, institute, college or school or student cards or certificates of the courses to be attended;

(g) for participants in international sports 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 States;

(h) for participants in official exchange programmes organised by twin cities:

— a written request of the Head of Administration/Mayor of these cities;

L 334/86 EN Official Journal of the European Union 19.12.2007(i) for close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren — visiting Albanian citizens legally residing in the territory of the Member States:

— a written request from the host person;

(j) 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;

(k) for persons politically persecuted during the communist regime in the Republic of Albania:

— the certificate issued by the Institute for the Integration of the Persecuted Persons in accordance with Article 3 of

Law no 7748 of 29.07.1993, indicating the status of

being a person politically persecuted during the communist regime in the Republic of Albania and a letter of invitation from a competent authority, national or international organisation including NGO of a Member State or by a European institution for participating in activities as appropriate including activities related to their status;

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

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

(m) for persons travelling for tourism:

- a certificate or voucher from a travel agency or a tour operator accredited by Member States in the framework of the local consular cooperation confirming the booking of an organised trip;
- (n) for persons visiting 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;
- (o) for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:
 - a written request from the host organisation confirming that the person concerned is participating in the event;
- (p) for members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States:
 - a written request from the competent railway company of the Republic of Albania stating the purpose, duration and frequency of the trips;
- (q) for persons visiting for burial ceremonies:
 - an official document confirming the fact of death as well as confirmation of the family or other relationship between the applicant and the buried;
- (r) for representatives of the religious communities:
 - a written request from a religious community registered in the Republic of Albania, stating the purpose, duration and frequency of the trips.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:32 [DESIRING to facilitate people-..] (1:288-1:512) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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,

P 9: Visa Facilitation Agreement Armenia.pdf - 9:33 [RECOGNISING that visa facilita..] (1:1893-1:2024) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

RECOGNISING that visa facilitation should not lead to illegal immigration and paying special attention to security and readmission

P 9: Visa Facilitation Agreement Armenia.pdf - 9:34 [1. The visa facilitations prov..] (1:3283-1:3554) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:35 [2. The national law of Armenia..] (1:3557-1:3868) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:36 [1. For the following categorie..] (2:1018-3:2205) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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 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;

31.10.2013 Official Journal of the European Union L 289/3 EN(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 this 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.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:37 [2. Diplomatic missions and con...] (3:3908-4:2625) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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 and 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;

L 289/4 Official Journal of the European Union 31.10.2013 EN(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.

P 9: Visa Facilitation Agreement Armenia.pdf - 9:38 [Article 10 Diplomatic passport..] (5:2573-5:2941) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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 referred in paragraph 1 of this Article may stay without visas in the territories of Member States for a period not exceeding 90 days per period of 180 days.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:33 [DESIRING to facilitate people ..] (1:267-1:560) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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 the Union and the Republic of Azerbaijan on a basis of reciprocity,

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:34 [RECOGNISING that visa facilita..] (1:1092-1:1240) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:35 [1. The visa facilitations prov..] (1:2348-1:3068) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. The visa facilitations provided in this Agreement shall apply to citizens of the Union and of the Republic of Azerbaijan only insofar as they are not exempted from the visa requirement by the laws and regulations of the Republic of Azerbaijan, of the Union or the Member States, this Agreement or other international Agreements.
2. The national law of the Republic of Azerbaijan or of the Member States or 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.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:36 [1. For the following categorie..] (2:1387-3:3391) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. For the following categories of citizens of the Union and of the Republic of Azerbaijan, 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 and grandchildren — visiting citizens of the European Union legally residing in the territory of the Republic of Azerbaijan or citizens of the Republic of Azerbaijan 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, or citizens of the Republic of Azerbaijan residing in the territory of the Republic of Azerbaijan:

— a written request from the host person;

(b) without prejudice to Article 10, for members of official delegations including permanent members of such delegations who, following an official invitation addressed to the Member States, the European Union or the Republic of Azerbaijan, shall participate in official meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Republic of Azerbaijan or one of the Member States by intergovernmental organisations:

— a letter issued by a competent authority of a Member State or of the Republic of Azerbaijan or by an institution of the European Union confirming that the applicant is a member of its delegation respectively or 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 business people and representatives of business organisations:

— 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 Republic of Azerbaijan or the Member States or organising committees or trade and industrial exhibitions, conferences and symposia held in the territory of the Republic of Azerbaijan or one of the Member States endorsed by the competent authorities in accordance with the national legislation;

(d) for drivers conducting international cargo and passenger transportation services between the territories of the Republic of Azerbaijan and the Member States in vehicles registered in the Member States or in the Republic of Azerbaijan:

— a written request from the national company or association (union) of carriers of the Republic of Azerbaijan or the national associations of carriers of the Member States providing for international road transportation, stating the purpose, itinerary, duration and frequency of the trips;

L 128/50 EN Official Journal of the European Union 30.4.2014 (e) for pupils, students, post-graduate students 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, academy, institute, college or school or student cards or certificates of the courses to be attended;

(f) 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 those activities;

(g) for journalists and technical crew accompanying them in a professional capacity:

- a certificate or other document issued by a professional organization 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 technical crew accompanying the journalist in a professional capacity;

(h) for participants in international sports events and persons accompanying them in a professional capacity:

- a written request from the host organization, competent authorities, national sport Federations of the Member States or the Republic of Azerbaijan or National Olympic Committee of the Republic of Azerbaijan or National Olympic Committees of the Member States;

(i) for participants in official exchange programmes organized by twin cities:

- a written request of the Head of Administration/Mayor of these cities;

(j) 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;

(k) for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held on the territory of the Republic of Azerbaijan or Member States:

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

(l) for representatives of civil society organizations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

- 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;

(m) relatives visiting for burial ceremonies:

- an official document confirming the fact of death as well as confirmation of the family or other relationship between the applicant and the buried;

(n) 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;

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:37 [2. Diplomatic missions and con..] (4:3013-5:1179) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

2. Diplomatic missions and consular posts of the Member States and of the Republic of Azerbaijan shall issue multiple-entry visas with the term of validity of one year to the following categories of citizens, 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) students, post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;
- (b) journalists and technical crew accompanying them in a professional capacity;
- (c) participants in official exchange programmes organised by twin cities;
- (d) drivers conducting international cargo and passenger transportation services between the territories of the Republic of Azerbaijan and the Member States in vehicles registered in the Member States or the Republic of Azerbaijan;
- (e) persons needing to visit regularly for medical reasons and necessary accompanying persons;
- (f) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Republic of Azerbaijan or the Member States;

L 128/52 EN Official Journal of the European Union 30.4.2014 (g) representatives of civil society organizations travelling regularly to the Republic of Azerbaijan or the Member States

for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;

- (h) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Republic of Azerbaijan or the Member States;
- (i) participants in international sports events and persons accompanying them in a professional capacity;
- (j) members of official delegations who, following an official invitation addressed to the Member State, the European Union or the Republic of Azerbaijan, shall participate regularly in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Republic of Azerbaijan or of the Member States by intergovernmental organisations;
- (k) business people and representatives of business organisations who regularly travel to the Republic of Azerbaijan or the Member States.

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:38 [Diplomatic passports 1. Citize..] (7:656-7:1119) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Diplomatic passports

1. Citizens of the European Union and the Republic of Azerbaijan who are holders of valid diplomatic passports may enter, leave and transit through the territories of the Republic of Azerbaijan or the Member States without visas.
2. Persons mentioned in paragraph 1 may stay in the territory of the Republic of Azerbaijan or the territories of Member States for a period not exceeding 90 days per period of 180 days.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:37 [DESIRING, as a first concrete ..] (1:260-1:564) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 nationals of Bosnia and Herzegovina,

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:38 [RECOGNISING that visa facilitation..] (1:1086-1:1215) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:39 [1. The visa facilitations provided..] (1:2422-1:3037) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. The visa facilitations provided in this Agreement shall apply to nationals of Bosnia and Herzegovina 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 Bosnia and Herzegovina, 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

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:40 [1. For the following categorie..] (2:1079-3:2262) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. For the following categories of nationals of Bosnia and Herzegovina the following documents are sufficient for justifying the purpose of the journey to the other Party:

(a) for members of official delegations who, following an official invitation addressed to Bosnia and Herzegovina, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations:

— a letter issued by an authority from Bosnia and Herzegovina confirming that the applicant is a member of its delegation travelling to the territory of the Member States to participate in the aforementioned events, accompanied by a copy of the official invitation;

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

— a written request from a host legal person or company, organisation, or an office or branch of such legal person or company, State or local authorities of the Member States or organising committees of trade and industrial exhibitions, conferences and symposia held in the territories of the Member States, endorsed by the Foreign Trade Chamber of Bosnia and Herzegovina;

(c) for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

— a written request issued by the host organisation, a confirmation that the person is representing the civil society organisation and the certificate on establishment of such organisation from the relevant Register issued by a State authority in accordance with the national legislation;

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

— a written request from the Foreign Trade Chamber of

Bosnia and Herzegovina, stating the purpose, duration and frequency of the trips;

(e) for members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States:

— a written request from the competent railway company of Bosnia and Herzegovina stating the purpose, duration and frequency of the trips;

(f) for journalists:

— a certificate or other document issued by a professional organisation proving that the person concerned is a qualified journalist and a document issued by his/her employer stating that the purpose of the journey is to carry out journalistic work;

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

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

(h) for pupils, students, post-graduate students 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, academy, institute, college or school or student cards or certificates of the courses to be attended;

L 334/98 EN Official Journal of the European Union 19.12.2007(i) for participants in international sports 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 States;

(j) for participants in official exchange programmes organised by twin cities:

— a written request of the head of administration/mayor of these cities;

(k) for close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren — visiting nationals of Bosnia and Herzegovina legally residing in the territory of the Member States:

— a written request from the host person;

(l) for persons visiting 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;

(m) for persons visiting for burial ceremonies:

— an official document confirming the fact of death as well as confirmation of the family or other relationship between the applicant and the buried;

(n) for representatives of the traditional religious communities in Bosnia and Herzegovina visiting diasporas of Bosnia in Herzegovina in the territory of the Member States:

— a written request by the head of the religious community in Bosnia and Herzegovina, stating the purpose, duration and frequency of trips;

(o) for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

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

(p) 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;

(q) for persons travelling for tourism:

— a certificate or voucher from a travel agency or a tour operator accredited by Member States in the framework of the local consular cooperation confirming the booking of an organised trip.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:41 [1. Diplomatic missions and con..] (3:3489-4:2683) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

(a) members of the Court of Bosnia and Herzegovina and the prosecutor office of Bosnia and Herzegovina, if they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties, with a term of validity limited to their term of office if this is less than five years;

(b) permanent members of official delegations who, following an official invitation addressed to Bosnia and Herzegovina, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in

the territory of the Member States by intergovernmental organisations;

19.12.2007 EN Official Journal of the European Union L 334/99(c) close relatives — spouse, children (including adopted), parents (including custodians) — visiting nationals of Bosnia and

Herzegovina 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.

2. Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with a 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 addressed to Bosnia and Herzegovina, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(b) business people and representatives of business organisations who regularly travel to the Member States;

(c) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in Bosnia and Herzegovina;

(d) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(e) journalists;

(f) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Member States;

(g) students and post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;

(h) participants in international sports events and persons accompanying them in a professional capacity;

(i) participants in official exchange programmes organised by twin cities;

(j) persons needing to visit regularly for medical reasons and necessary accompanying persons;

(k) representatives of the traditional religious communities in

Bosnia and Herzegovina visiting diasporas of Bosnia in

Herzegovina in the territory of the Member States, who regularly travel to the Member States;

(l) representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of

exchange programmes;

(m) members of the professions participating in international

exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States.

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:42 [Diplomatic passports 1. Nation..] (5:3100-5:3450) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Diplomatic passports

1. Nationals of Bosnia and Herzegovina, holders of valid diplomatic passports can enter, leave and transit through the territories of the Member States without visas.

2. Persons mentioned in paragraph 1 of this Article may stay

in the territories of the Member States for a period not exceeding

90 days per period of 180 days.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:16 [WISHING to promote contacts be..] (1:366-1:623) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

WISHING to promote contacts between their peoples as an important factor in ensuring the constant development of economic, humanitarian, cultural, scientific and other ties by facilitating the issue of visas to their citizens on the basis of reciprocity,

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:17 [RECOGNISING that this should n..] (1:1131-1:1253) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

RECOGNISING that this should not encourage illegal immigration and paying special attention to security and read mission,

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:18 [General clause 1. The measures..] (1:2190-1:2867) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

General clause

1. The measures to facilitate the issue of visas set out in this Agreement shall apply to citizens of Cape Verde and of the Union only in so far as they are not exempt from visa requirements under the laws and regulations of the Union or its Member States or of Cape Verde, or under the present Agreement or other international agreements.
2. The national law of Cape Verde and of the Member States or the law of the Union shall apply to matters not covered by the provisions of this Agreement, such as refusal to issue a visa, recognition of travel documents, proof of sufficient means of subsistence, refusal of entry and expulsion measures.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:19 [1. Diplomatic missions and con..] (2:43-2:4442) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. Diplomatic missions and consular posts of the Member States and of Cape Verde shall issue multiple-entry visas valid for five years to the following categories of citizen:
 - (a) members of national and regional governments and parliaments, constitutional courts, supreme courts or courts of auditors, if they are not exempt from visa requirements under this Agreement, in the exercise of their duties;
 - (b) permanent members of official delegations who, following an official invitation addressed to Cape Verde, the Member States or the Union, take part in meetings, consultations, negotiations or exchange programmes, or in events in the territory of the Member States or Cape Verde organised on the initiative of intergovernmental organisations;
 - (c) business people and company representatives who regularly travel to the Member States or to Cape Verde;

(d) spouses, children (including adopted children) who are under the age of 21 or are dependent, and parents visiting either:

— citizens of Cape Verde legally resident in the territory of a Member State or citizens of the Union legally resident in Cape Verde, or

— citizens of the Union resident in the Member State of their nationality, or citizens of Cape Verde resident in Cape Verde.

However, if the need or intention to travel frequently or regularly is clearly limited to a shorter stay, the validity of the multiple-entry visa shall be limited to this stay, in particular where

— the term of office, in the case of those covered by point (a) above,

— the term of office of a permanent member of an official delegation, in the case of those covered by point (b) above,

— the duration of the positions as business people and company representatives, in the case of those covered by point (c) above, or

— the duration of the residence permits issued to Cape Verde citizens residing in the territory of a Member State and Union citizens residing in Cape Verde, in the case of those covered by point (d) above,
is less than five years.

2. Diplomatic missions and consular posts of the Member States and Cape Verde shall issue multiple-entry visas valid for one year to the following categories of citizens, provided that during the previous year they have obtained at least one visa and that they have made use of it in accordance with the laws on entry and residence in the territory of the State in question:

(a) representatives of civil society organisations travelling regularly to Member States or to Cape Verde for the purposes of educational training or to take part in seminars and conferences, including as part of exchange programmes;

(b) practitioners of a liberal profession taking part in inter

national exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States or to Cape Verde;

(c) persons taking part in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Member States or to Cape Verde;

(d) participants in international sports events and persons accompanying them in a professional capacity;

(e) journalists and accredited persons accompanying them in a professional capacity;

(f) school pupils, students, post-graduate students and accompanying teachers who undertake trips for the purposes of study or educational training, including exchange programmes and other school-related activities;

(g) representatives of religious organisations recognised in Cape Verde or in the Member States who regularly travel to the Member States or to Cape Verde respectively;

(h) persons visiting regularly for medical reasons;

(i) participants in official exchange programmes organised by twinned towns or municipal authorities;

(j) members of official delegations who, following an official invitation addressed to Cape Verde, the Member States or the Union, regularly take part in meetings, consultations, negotiations or exchange programmes, and in events in the territory of the Member States or of Cape Verde organised on the initiative of intergovernmental organisations.

However, if the need or intention to travel frequently or regularly is clearly limited to a shorter stay, the validity of the multiple-entry visa shall be limited to the length of this stay.

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:20 [Diplomatic and service passpor..] (3:2581-3:3021) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Diplomatic and service passports

1. Citizens of Cape Verde or of the Member States who are holders of valid diplomatic or service passports can enter, leave and transit through the territories of the Member States or of Cape Verde without visas.
2. The citizens referred to in paragraph 1 of this Article may stay in the territories of the Member States or of Cape Verde for a period not exceeding 90 days per period of 180 days.

P13: Visa Facilitation Agreement FYROM.pdf - 13:39 [RECOGNISING the progress made ..] (1:1064-1:1273) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

RECOGNISING the progress made by the former Yugoslav Republic of Macedonia in the area of justice, freedom and security and, in particular, on migration, visa policy, border management and on document security,

P13: Visa Facilitation Agreement FYROM.pdf - 13:40 [DESIRING, as a first concrete ..] (1:1276-1:1598) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 the former Yugoslav Republic of Macedonia,

P13: Visa Facilitation Agreement FYROM.pdf - 13:41 [RECOGNISING that visa facilitation ..] (1:2174-1:2303) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P13: Visa Facilitation Agreement FYROM.pdf - 13:42 [Article 2 General clause 1. Th..] (1:3538-2:341) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

Article 2

General clause

1. The visa facilitations provided in this Agreement shall apply to citizens of the former Yugoslav Republic of Macedonia 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.

19.12.2007 EN Official Journal of the European Union L 334/1252. The national law of the former Yugoslav Republic of Macedonia, 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.

P13: Visa Facilitation Agreement FYROM.pdf - 13:43 [1. For the following categorie..] (2:1486-3:2721) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

1. For the following categories of citizens of the former Yugoslav Republic of Macedonia the following documents are sufficient for justifying the purpose of the journey to the other Party:

(a) Pupils, high school and university students, post-graduate students 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 educational or 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;

(b) Persons participating in scientific, research, cultural and artistic activities, including university and other exchange programmes:

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

(c) Representatives of civil society organisations, when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

— a written request issued by the host organisation, a confirmation that the person is representing the civil society organisation and the certificate on establishment of

such organisation from the relevant Register issued by a state authority in accordance with the national legislation;

(d) Journalists:

— a certificate or other document issued by a professional organization proving that the person concerned is a qualified journalist and a document issued by his/her employer stating that the purpose of the journey is to carry out journalistic work;

(e) Participants in international sports 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;

(f) Business people and representatives of business organisations:

— a written request from a host legal person or company, or an office or branch of such legal person or company, or state or local authorities of the Member States or organising committees of trade and industrial exhibitions, conferences and symposia held in the territories of Member States;

(g) Members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

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

(h) Participants in official exchange programmes organized by twin cities:

— a written request of the head of administration/mayor of these cities;

L 334/126 EN Official Journal of the European Union 19.12.2007 (i) Drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the former Yugoslav Republic of Macedonia:

— a written request from an association of carriers of the former Yugoslav Republic of Macedonia providing for international road transportation, stating the purpose, duration and frequency of the trips;

(j) Members of train, refrigerator and locomotive crews in international trains travelling to the territories of the Member

States:

— written request from the competent railway company of the former Yugoslav Republic of Macedonia stating the purpose, duration and frequency of the trips;

(k) Close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren visiting citizens of the former Yugoslav Republic of Macedonia legally residing in the territory of the Member States:

— a written request from the host person;

(l) Representatives of the religious communities:

— a written request from a religious community registered in the former Yugoslav Republic of Macedonia, stating the purpose, duration and frequency of the trips;

(m) Persons visiting for medical reasons and necessary accompanying persons:

— an official document of a medical institution confirming the necessity of medical care in this institution, the necessity of being accompanied and proof of sufficient financial means to pay for the medical treatment;

(n) Persons visiting for burial ceremonies:

— an official document confirming the fact of death as well as confirmation of the family or other relationship between the applicant and the buried;

(o) Members of official delegations who, following an official

invitation addressed to the former Yugoslav Republic of Macedonia shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations:

— a letter issued by an authority of the former Yugoslav Republic of Macedonia confirming that the applicant is a member of its delegation, travelling to the other party to participate at the aforementioned events, accompanied by a copy of the official invitation;

(p) Persons travelling for tourism:

— a certificate or voucher from a travel agency or a tour operator accredited by Member States in the framework of the local consular cooperation confirming the booking of an organised trip;

(q) 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;

P13: Visa Facilitation Agreement FYROM.pdf - 13:44 [1. Diplomatic missions and con..] (3:3885-4:3463) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. Diplomatic missions and consular posts of the Member

States shall issue multiple-entry visas with a term of validity of up to five years to the following categories of persons:

(a) Members of national government, Parliament, Constitutional

Court, Supreme Court, Judiciary Council and Public Prosecutors Council, if they are not exempted from the visa requirement by the present Agreement, in the exercise of their

duties, with a term of validity limited to their term of office if this is less than five years;

(b) Permanent members of official delegations who following an official invitation addressed to the former Yugoslav Republic of Macedonia shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

19.12.2007 EN Official Journal of the European Union L 334/127(c) Spouses and children (including adopted), who are under the age of 21 or are dependent and parents (including custodians) visiting citizens of the former Yugoslav Republic of Macedonia legally residing in the territory of the Member States, with the term of validity limited to the duration of the validity of their authorization for legal residence;

(d) Business people and representatives of business organisations who regularly travel to the Member States;

(e) Journalists;

(f) Representatives of religious communities registered in the former Yugoslav Republic of Macedonia, who regularly travel to the Member States.

2. Diplomatic missions and consular posts of the Member

States shall issue multiple-entry visas with a 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) Students and post-graduate students who regularly undertake

trips for the purposes of study or educational training, including in the framework of exchange programmes;

(b) Persons who participate in scientific, research, cultural and

artistic activities, including university and other exchange programs who regularly travel to the Member States;

(c) Participants in international sports events and persons accompanying them in a professional capacity;

(d) Members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States;

(e) Representatives of civil society organisations, travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;

(f) Participants in official exchange programmes organized by twin cities;

(g) Mayors and members of the municipal councils;

(h) Drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the former Yugoslav Republic of Macedonia;

(i) Members of train, refrigerator and locomotive crews, in international trains, travelling to the territories of the Member States;

(j) Persons needing to visit regularly for medical reasons and necessary accompanying persons;

(k) Members of official delegations who, following an official invitation addressed to the former Yugoslav Republic of Macedonia, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations.

3. Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with the term of validity of a minimum of two years and a maximum of five years to the categories of persons referred to in paragraph 2 of this Article, and to other persons provided that during the previous year they have made use of the one multiple-entry visa in accordance with the laws on entry and stay of the visited 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 paragraphs 1 to 3 of this Article shall not exceed 90 days per period of 180 days in the territory of the Member States.

P13: Visa Facilitation Agreement FYROM.pdf - 13:45 [2. Fees for processing the vis..] (4:4069-5:1811) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

2. Fees for processing the visa application are waived for the following categories of persons:

(a) close relatives — spouse, children (including adopted) parents (including custodians), grandparents and grandchildren of citizens of the former Yugoslav Republic of Macedonia, legally residing in the territory of the Member States;

(b) members of official delegations who, following an official invitation addressed to the former Yugoslav Republic of Macedonia shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(c) members of national government, Parliament, Constitutional Court, Supreme Court, Judiciary Council and Public Prosecutors Council, if they are not exempted from the visa requirement by the present Agreement; L 334/128 EN Official Journal of the European Union 19.12.2007

(d) mayors and members of the municipal councils;

(e) disabled persons and the person accompanying them, if necessary;

(f) 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;

(g) participants in international sports events and persons accompanying them in a professional capacity;

(h) persons participating in scientific, research, cultural and artistic activities including university and other exchange programmes;

(i) participants in official exchange programmes organized by twin cities;

(j) journalists;

(k) pensioners;

(l) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the former Yugoslav Republic of Macedonia;

(m) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(n) representatives of civil society organisations when undertaking trips to attend meetings, seminars, exchange programmes or training courses;

(o) representatives of religious communities registered in the former Yugoslav Republic of Macedonia;

(p) members of the professions participating in international

exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States;

(q) pupils, students, post-graduate students 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 educational or school related activities;

(r) children under six years of age.

P13: Visa Facilitation Agreement FYROM.pdf - 13:46 [Diplomatic passports 1. Citizens..] (5:3964-5:4334) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Diplomatic passports

1. Citizens of the former Yugoslav Republic of Macedonia, holders of valid diplomatic passports can enter, leave and transit through the territories of the Member States without visas.

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

P14: Visa Facilitation Agreement Georgia.pdf - 14:30 [RECOGNISING that visa facilitation..] (1:1318-1:1448) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

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

P14: Visa Facilitation Agreement Georgia.pdf - 14:31 [DESIRING to facilitate people-to-people..] (1:216-1:441) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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,

P14: Visa Facilitation Agreement Georgia.pdf - 14:32 [Article 2 General clause 1. Th..] (1:2704-1:3294) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 2

General clause

1. The visa facilitations provided in this Agreement shall apply to citizens of Georgia only in so far 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 Georgia or of the Member States or Union law shall apply to issues not covered by 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.

P14: Visa Facilitation Agreement Georgia.pdf - 14:33 [1. For the following categorie..] (2:986-3:2980) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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 – who are 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 programmes, as well as in events held in the territory of the Member States by intergovernmental organisations:
 - a letter issued by a Georgian authority confirming that

the applicant is a member of a 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 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 accredited persons accompanying them in a professional capacity:

— a certificate or other document issued by a professional organisation 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 organisation, competent authorities, national sport federations or national Olympic committees of the Member States;

(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 the Member States, endorsed by the State Chamber of Registration of Georgia;

25.2.2011 Official Journal of the European Union L 52/35 EN(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:

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

(i) for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

— a written request issued by the host organisation, a confirmation that the person is representing the civil society organisation 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, 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 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 programmes organised 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 this Article 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 Member States

P14: Visa Facilitation Agreement Georgia.pdf - 14:34 [1. Diplomatic missions and con..] (3:3029-4:2784) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

(a) spouses, children (including adopted) who are under the age of 21 or are dependent, or 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 and of Constitutional and Supreme courts if they are not exempted from the visa requirement by this Agreement, in the exercise of their duties, with a term of validity limited to 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.

L 52/36 Official Journal of the European Union 25.2.2011 EN2. Diplomatic missions and consular services of the Member States shall issue multiple-entry visas with the term of validity of up to 1 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 Member 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 programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(b) representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange 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 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 organised 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 organisations 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 this Article, provided that during the previous 2 years they made use of the 1-year multiple-entry visas in accordance with the laws on entry and stay of the host Member 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 paragraphs 1 to 3 of this Article shall not exceed 90 days per period of 180 days in the territory of the Member States.

P14: Visa Facilitation Agreement Georgia.pdf - 14:35 [1. The fee for processing visa..] (4:2837-5:1322) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

1. The fee for processing visa applications of citizens of Georgia shall amount to EUR 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 citizens of the Union, the visa fee to be charged by Georgia shall not

exceed EUR 35 or the amount agreed if the fee is reviewed in accordance with the procedure provided for in Article 14(4).

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 EUR 30. 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 and of Constitutional and Supreme courts, in case they are not exempted from the visa requirement by this Agreement;

(d) disabled persons and the persons accompanying them, if necessary;

(e) close relatives – spouse, children (including adopted), parents (including custodians), grandparents or grand children – who are visiting citizens of Georgia legally residing in the territory of the Member States;

25.2.2011 Official Journal of the European Union L 52/37 EN(f) members of official delegations who, following an official invitation addressed to Georgia, are to participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory 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 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 organisations when under taking trips for the purposes of educational training,

seminars, conferences, including in the framework of exchange programmes;

(k) persons participating in scientific, 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.

P14: Visa Facilitation Agreement Georgia.pdf - 14:36 [Diplomatic passports 1. Citizens..] (5:2974-5:3317) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Diplomatic passports

1. Citizens of Georgia 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 of this Article may stay in the territories of Member States for a period not exceeding 90 days per period of 180 days.

P15: Visa Facilitation Agreement Moldova.pdf - 15:36 [WITH A VIEW to further develop..] (1:533-1:833) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

WITH A VIEW to further developing friendly relations between the Parties and 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 issuance of visas to Moldovan citizens,

P15: Visa Facilitation Agreement Moldova.pdf - 15:37 [RECOGNISING that visa facilitation..] (1:1526-1:1655) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P15: Visa Facilitation Agreement Moldova.pdf - 15:38 [Article 2 General clause 1. Th..] (1:2527-1:3166) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 2

General clause

1. The visa facilitations provided in this Agreement shall apply to citizens of the Republic of Moldova only insofar as they are not exempted from the visa requirement by the laws and regulations of the Community or the Member States, this Agreement or other international agreements.
2. The national law of the Republic of Moldova, 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.

P15: Visa Facilitation Agreement Moldova.pdf - 15:39 [1. For the following categorie..] (2:765-3:1204) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. For the following categories of citizens of the Republic of Moldova, the following documents shall suffice for justifying the purpose of the journey to the other Party:
 - (a) for members of official delegations who, following an official invitation addressed to the Republic of Moldova, are to participate in meetings, consultations, negotiations or exchange programs, as well as in events held in the territory of the Member States by intergovernmental organisations:
 - a letter issued by a Moldovan authority confirming that the applicant is a member of its delegation travelling to the other Party to participate at the aforementioned

events, accompanied by a copy of the official invitation;

(b) for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

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

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

— a written request from a host legal person or company, or an office or a branch of such legal person or company, state or local authorities of the Member States or organising committees of trade and industrial exhibitions, conferences and symposia held in the territories of the Member States, endorsed by the State Chamber of Registration of the Republic of Moldova;

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

— a written request from the national association of carriers of the Republic of Moldova providing for international road transportation, stating the purpose, duration and frequency of the trips;

(e) for members of train, refrigerator and locomotive crews in international trains travelling to the territories of the Member States:

— a written request from the competent railway company of the Republic of Moldova stating the purpose, duration and frequency of the trips;

(f) for journalists:

— a certificate or other document issued by a professional organisation proving that the person concerned is a qualified journalist and a document issued by his/her employer stating that the purpose of the journey is to carry out journalistic work;

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

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

(h) for pupils, students, post-graduate students 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;

(i) for participants in international sports 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 States;

(j) for participants in official exchange programmes organised by twin cities and other localities:

— a written request of the Head of Administration/Mayor of these cities or other localities;

(k) for close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren — visiting citizens of the Republic of Moldova legally residing in the territory of the Member States:

— a written request from the host person;

L 334/170 EN Official Journal of the European Union 19.12.2007(l) for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

— a written request issued by the host organisation, a confirmation that the person is representing the civil society organisation and the certificate on establishment of such organisation from the relevant Register issued by a state authority in accordance with the national legislation;

(m) for persons visiting for burial ceremonies:

— an official document confirming the fact of death as well as confirmation of the family or other relationship between the applicant and the deceased;

(n) 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;

(o) for persons visiting 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.

P15: Visa Facilitation Agreement Moldova.pdf - 15:40 [2. Diplomatic missions and con..] (3:3673-4:4267) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

2. Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with a 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 addressed to the Republic of Moldova, 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;

(b) representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange 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) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Moldova;

19.12.2007 EN Official Journal of the European Union L 334/171 (e) members of train, refrigerator and locomotive crews in international trains travelling to the territories of the Member States;

(f) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Member States;

(g) students and post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;

(h) participants in international sports events and persons accompanying them in a professional capacity;

(i) participants in official exchange programmes organised by twin cities or other localities.

3. Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with a term of validity of a minimum of two years and a maximum of five years to the categories of persons referred to in paragraph 2, provided that during the previous two 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 and that the reasons for requesting a multiple entry visa are still valid.

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

The aforementioned amount may be reviewed in accordance with the procedure provided for in Article 15(4).

2. Fees for processing the visa application shall be waived for the following categories of persons:

(a) close relatives — spouse, children (including adopted) parents (including custodians), grandparents and grandchildren of citizens of the Republic of Moldova legally residing in the territory of the Member States;

(b) members of national and regional Governments and Parliaments, Constitutional Court and Supreme Court if they are not exempted from the visa requirement by this Agreement;

(c) members of official delegations who, following an official invitation addressed to the Republic of Moldova, are to participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(d) pupils, students, post-graduate students 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;

(e) disabled persons and the person accompanying them, if necessary;

(f) 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;

(g) participants in international sports events and persons accompanying them in a professional capacity;

(h) persons participating in scientific, cultural and artistic activities including university and other exchange programmes;

(i) participants in official exchange programmes organised by twin cities or other localities;

(j) journalists;

(k) children under the age of 18 and dependent children under the age of 21;

(l) pensioners;

(m) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Moldova;

(n) members of train, refrigerator and locomotive crews travelling to the territories of the Member States;

(o) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States.

3. By way of derogation from paragraph 1, Bulgaria and Romania which are bound by the Schengen acquis but which do not yet issue Schengen visas, may waive the fees for processing national short stay visa applications for citizens of the Republic of Moldova, until the day to be determined by the Council Decision for their full implementation of the Schengen acquis on visa policy.

P15: Visa Facilitation Agreement Moldova.pdf - 15:41 [Article 10 Diplomatic passport..] (5:1281-5:1635) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

Article 10

Diplomatic passports

1. Citizens of the Republic of Moldova 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 in the territories of the Member States for a period not exceeding 90 days per period of 180 days.

P16: Visa Facilitation Agreement Moldova amendment.pdf - 16:6 [DESIRING to further facilitate..] (1:474-1:748) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

DESIRING to further facilitate people-to-people contacts,
RECOGNISING the importance of the introduction of a visa-free travel regime for the citizens of the Republic of Moldova in due course, provided that the conditions for well-managed and secure mobility are in place,

P17: Visa Facilitation Agreement Montenegro.pdf - 17:38 [REAFFIRMING, the intention to ..] (1:467-1:766) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

REAFFIRMING, the intention to cooperate closely within the framework of the future SAA structures for the liberalisation of the visa regime between the Republic of Montenegro and the European Union, in line with the conclusions of the

EU-Western Balkans Summit held in Thessaloniki on 21 June 2003,

P17: Visa Facilitation Agreement Montenegro.pdf - 17:39 [DESIRING, as a first concrete ..] (1:769-1:1075) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 the Republic of Montenegro

P17: Visa Facilitation Agreement Montenegro.pdf - 17:40 [RECOGNISING that visa facilita..] (1:1589-1:1718) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P17: Visa Facilitation Agreement Montenegro.pdf - 17:41 [Article 2 General clause 1. Th..] (1:2908-1:3557) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 2

General clause

1. The visa facilitations provided in this Agreement shall apply to citizens of the Republic of Montenegro 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 citizen law of the Republic of Montenegro, 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.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:42 [1. For the following categorie..] (2:1090-3:2614) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

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

(a) members of official delegations who, following an official invitation addressed to the Republic of Montenegro, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations:

— a letter issued by an authority from the Republic of Montenegro confirming that the applicant is a member of the its delegation travelling to the territory of the Member States to participate in the aforementioned events, accompanied by a copy of the official invitation;

(b) business people and representatives of business organisations:

— a written request from a host legal person or company, or an office or branch of such legal person or company, state or local authorities of the Member States or organising committees of trade and industrial exhibitions, conferences and symposia held in the territories of the Member States, endorsed by a Chamber of Commerce, the Union of Employers of the Republic of Montenegro or the Montenegro Business Alliance;

(c) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Montenegro:

— a written request from the national association of carriers of the Republic of Montenegro providing for international road transportation, stating the purpose, duration and frequency of the trips;

(d) for members of train, refrigerator and locomotive crews travelling to the territories of the Member States:

— a written request from the competent railway company of the Republic of Montenegro, stating the purpose, duration and frequency of the trips;

(e) journalists:

— a certificate or other document issued by a professional organisation proving that the person concerned is a qualified journalist and a document issued by his/her employer stating that the purpose of the journey is to

carry out journalistic work;

(f) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes:

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

(g) pupils, students, post-graduate students 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, academy, college or school or student cards or certificates of the courses to be attended;

(h) participants in international sports events and persons accompanying them in a professional capacity:

— a written request from the host organisation: competent authorities, National Sports Federations or National Olympic Committees of the Member States;

L 334/110 EN Official Journal of the European Union 19.12.2007 (i) participants in official exchange programmes organised by twin cities:

— a written request of the head of administration/mayor of these cities;

(j) close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren visiting citizens of the Republic of Montenegro legally residing in the territory of the Member States:

— a written request from the host person;

(k) 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;

(l) persons visiting for medical reasons and necessary accompanying persons:

— an official document of the medical institution confirming necessity of medical care in this institution and the necessity of being accompanied, and proof of sufficient financial means to pay for the medical treatment;

(m) persons visiting for burial ceremonies:

— an official document confirming the fact of death, as well as confirmation of the family or other relationship between the applicant and the buried;

(n) for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

— a written request issued by the host organisation, a confirmation that the person is representing the civil society organisation and the certificate on establishment of such organisation from the relevant Register issued by a

state authority in accordance with the national legislation;

(o) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

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

(p) judges participating in international exchange programmes, symposia, seminars or similar training events held in the territory of the Member States:

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

(q) representatives of the religious communities in the Republic of Montenegro:

— a written request from a religious community registered in the Republic of Montenegro, stating the purpose, duration and frequency of trips;

(r) persons travelling for tourism:

— a certificate or voucher from a travel agency or a tour operator accredited by Member States in the framework of the local consular cooperation confirming the booking of an organised trip;

P17: Visa Facilitation Agreement Montenegro.pdf - 17:43 [1. Diplomatic missions and con..] (3:3846-4:3758) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

(a) members of the National Government, Parliament, Constitutional Court and Supreme Court, President of the Court of Appeals, President of the Administrative Court in case they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties, with the term of validity limited to their term of office if this is less than five years;

19.12.2007 EN Official Journal of the European Union L 334/111(b) permanent members of official delegations who, following an official invitation addressed to the Republic of Montenegro, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(c) spouse and children (including adopted), who are under the age of 21 or are dependant, visiting citizens of the Republic of Montenegro 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.

2. Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with a 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 addressed to the Republic of Montenegro, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(b) business people and representatives of business organisations who regularly travel to the Member States;

(c) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Montenegro;

(d) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(e) members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States;

(f) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Member States;

(g) participants in international sports events and persons accompanying them in a professional capacity;

(h) journalists;

(i) participants in official exchange programmes organised by twin cities;

(j) students and post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;

(k) persons needing to visit regularly for medical reasons and necessary accompanying persons;

(l) representatives of religious communities registered in the

Republic of Montenegro, who regularly travel to the Member States.

(m) representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;

(n) judges participating in international exchange programmes, symposia, seminars or similar training events, who regularly travel to the Member States.

3. Diplomatic missions and consular posts of the Member

States shall issue multiple-entry visas with a term of validity of a

minimum of two years and a maximum of five years to the categories of persons referred to in paragraph 2 of this Article, provided that during the previous two 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 and that the reasons for requesting a multiple-entry visa are still valid.

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.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:44 [1. The fee for processing visa..] (4:3811-5:2005) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. The fee for processing visa applications of citizens of the Republic of Montenegro shall amount to EUR 35.

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

If the Republic of Montenegro was to reintroduce the visa requirement for EU citizens, the visa fee to be charged by the Republic of Montenegro shall not be higher than EUR 35 or the amount agreed if the fee is reviewed in accordance with the procedure provided for in Article 14(4).

2. Fees for processing the visa application are waived for the following categories of persons:

(a) members of the National Government, Parliament, Constitutional Court and Supreme Court, president of the Court of Appeals, president of the Administrative Court, persons mentioned in the Article 5(1), point (a) if they are not exempted from the visa requirement by the present Agreement;

(b) close relatives — spouse, children (including adopted) parents (including custodians), grandparents and grandchildren visiting citizens of the Republic of Montenegro, legally residing in the territory of the Member States;

L 334/112 EN Official Journal of the European Union 19.12.2007(c) members of official delegations who, following an official

invitation addressed to the Republic of Montenegro shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the

Member States by intergovernmental organisations;

(d) pupils, students, post-graduate students and accompanying teachers who undertake trips for the purpose of study or educational training;

(e) disabled persons and the person accompanying them, if necessary;

(f) 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;

(g) participants in international sports events and persons accompanying them in a professional capacity;

(h) persons participating in scientific, cultural and artistic activities including university and other exchange programmes;

(i) participants in official exchange programmes organised by twin cities;

(j) journalists;

(k) pensioners;

(l) judges participating in international exchange programmes, symposia, seminars or similar training events;

(m) representatives of religious communities registered in the Republic of Montenegro;

(n) representatives of civil society organisations travelling to attend meetings, seminars, exchange programmes or training courses;

(o) Members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States;

(p) Drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Montenegro;

(q) Members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(r) Children under six years of age.

P17: Visa Facilitation Agreement Montenegro.pdf - 17:45 [Article 10 Diplomatic passport..] (5:3611-5:3977) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 10

Diplomatic passports

1. Citizens of the Republic of Montenegro, holders of valid diplomatic passports can enter, leave and transit through the territories of the Member States without visas.
2. Persons mentioned in paragraph 1 of this Article may stay in the territories of the Member States for a period not exceeding 90 days per period of 180 days.

P18: Visa Facilitation Agreement Russia.pdf - 18:25 [DESIRING to facilitate people-...] (1:295-1:590) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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 the citizens of the European Union and the Russian Federation on the basis of reciprocity,

P18: Visa Facilitation Agreement Russia.pdf - 18:26 [RECOGNISING that this facilitat...] (1:1560-1:1689) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

RECOGNISING that this facilitation should not lead to illegal migration and paying special attention to security and readmission,

P18: Visa Facilitation Agreement Russia.pdf - 18:27 [Article 2 General Clause 1. Th...] (1:2765-1:3464) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 2

General Clause

1. The visa facilitations provided in this Agreement shall apply to citizens of the European Union and of the Russian Federation only insofar as they are not exempted from the visa requirement by the laws and regulations of the Russian Federation, of the Community or the Member States, the

present agreement or other international agreements.

2. The national law of the Russian Federation, 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.

P18: Visa Facilitation Agreement Russia.pdf - 18:28 [1. For the following categorie..] (2:1507-3:1707) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. For the following categories of citizens of the European Union and of the Russian Federation, the following documents are sufficient for justifying the purpose of the journey to the other Party:

(a) for members of official delegations who, following an official invitation addressed to the Member States, the European Union or the Russian Federation, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Russian Federation or one of the Member States by intergovernmental organisations:

— a letter issued by a competent authority of a Member State or of the Russian Federation, or by a European institution confirming that the applicant is a 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;

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

— a written request from a host legal person or company, organisation, or an office or their branches, state and local authorities of the Russian Federation and the Member States or organising committees of trade and industrial exhibitions, conferences and symposia held in the territories of the Russian Federation or one of the

Member States;

(c) for drivers conducting international cargo and passenger transportation services between the territories of the Russian Federation and the Member States in vehicles registered in the Member States or in the Russian Federation:

— a written request from the national association (union) of carriers of the Russian Federation or the national associations of carriers of the Member States providing for international road transportation, stating the purpose, duration and frequency of the trips;

(d) for members of train, refrigerator and locomotive crews in international trains, travelling between the territories of the Member States and the Russian Federation:

— a written request from the competent railway company of the Russian Federation or the Member States stating the purpose, duration and frequency of the trips;

(e) for journalists:

— a certificate or other document issued by a professional organisation proving that the person concerned is a qualified journalist and a document issued by his/her employer stating that the purpose of the journey is to carry out journalistic work;

L 129/28 Official Journal of the European Union 17.5.2007 EN(f) for persons participating in scientific, cultural and artistic activities, including university and other exchange programmes:

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

(g) for pupils, students, post-graduate students 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, academy, institute, college or school or student cards or certificates of the courses to be attended;

(h) for participants in international sports events and persons accompanying them in a professional capacity:

- a written request from the host organisation: competent authorities, national sport Federations of the Member States or the Russian Federation and National Olympic Committee of the Russian Federation or National Olympic Committees of the Member States;
- (i) for participants in official exchange programmes organised by twin cities:
 - a written request of the head of administration/mayor of these cities;
- (j) for close relatives — spouses, children (including adopted), parents (including custodians), grandparents and grandchildren — visiting citizens of the European Union or the Russian Federation legally residing in the territory of the Russian Federation or the Member States:
 - a written request from the host person;
- (k) 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.

P18: Visa Facilitation Agreement Russia.pdf - 18:29 [1. Diplomatic missions and con..] (3:3047-4:2540) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
 No memos

1. Diplomatic missions and consular posts of the Member States and of the Russian Federation shall issue multiple-entry visas with the term of validity of up to five years to the following categories of citizens:

- (a) members of national and regional Governments and Parliaments, Constitutional Courts and Supreme Courts, if they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties, with a term of validity limited to their term of office if this is less than five years;
- (b) spouses and children (including adopted), who are under the age of 21 or are dependant, visiting citizens of the European Union and the Russian Federation legally residing in the

territory of the Russian Federation or the Member States, with the term of validity limited to the duration of the validity of their authorisation for legal residence.

17.5.2007 Official Journal of the European Union L 129/29 EN2. Diplomatic missions and consular posts of the Member States and of the Russian Federation shall issue multiple-entry visas with the term of validity of up to one year to the following categories of citizens, 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 in the territory of the visited State and that there are reasons for requesting a multiple-entry visa:

- (a) for members of official delegations who, following an official invitation addressed to the Member States, the European Union or the Russian Federation, shall participate in official meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Russian Federation or one of the Member States by intergovernmental organisations;
- (b) business people and representatives of business organisations who regularly travel to the Russian Federation or the Member States;
- (c) drivers conducting international cargo and passenger transportation services between the territories of the Russian Federation and the Member States in vehicles registered in the Member States or the Russian Federation;
- (d) members of train, refrigerator and locomotive crews in international trains, travelling between the territories of the Russian Federation and the Member States;
- (e) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Russian Federation or the Member States;
- (f) participants in international sports events and persons accompanying them in a professional capacity;
- (g) journalists;
- (h) participants in official exchange programmes organised by twin cities.

3. Diplomatic missions and consular posts of the Member States and of the Russian Federation shall issue multiple-entry visas with the term of validity of a minimum of two years and a

maximum of five years to the categories of citizens referred to in paragraph 2 of this Article, provided that during the previous two years they have made use of the one year multiple-entry visas in accordance with the laws on entry and stay in the territory of the visited 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 paragraphs 1 to 3 of this Article shall not exceed 90 days per period of 180 days in the territory of the Member States or in the Russian Federation.

P18: Visa Facilitation Agreement Russia.pdf - 18:30 [1. The fee for processing visa..] (4:2593-5:790) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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 15(4).

2. The Parties shall charge a fee of EUR 70 for processing visas in cases where the visa application and the supporting documents have been submitted by the visa applicant within three days before his/her envisaged date of departure. This will not apply to cases pursuant to Article 6(3), (b), (e) and (f) and Article 7(3).

3. Fees for processing the visa application are waived for the following categories of persons:

(a) for close relatives — spouses, children (including adopted) parents (including custodians), grandparents and grandchildren — of citizens of the European Union and of the Russian Federation legally residing in the territory of the Russian Federation or the Member States;

(b) for members of official delegations who, following an official invitation addressed to the Member States, the European Union or the Russian Federation, shall participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Russian Federation or one of the Member States by

intergovernmental organisations;

(c) members of national and regional Governments and Parliaments, Constitutional Courts and Supreme Courts, if they are not exempted from the visa requirement by the present Agreement;

L 129/30 Official Journal of the European Union 17.5.2007 EN(d) pupils, students, post-graduate students and accompanying teachers who undertake trips for the purpose of study or educational training;

(e) disabled persons and the person accompanying them, if necessary;

(f) 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;

(g) participants in youth international sports events and persons accompanying them;

(h) persons participating in scientific, cultural and artistic activities including university and other exchange programmes;

(i) participants in official exchange programmes organised by twin cities.

P18: Visa Facilitation Agreement Russia.pdf - 18:31 [Article 11 Diplomatic passport..] (5:2869-5:3306) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 11

Diplomatic passports

1. Citizens of the Russian Federation or the Member States, holders of valid diplomatic passports may enter, leave and transit through the territories of the Member States or the Russian Federation without visas.

2. Citizens mentioned in paragraph 1 of this Article may stay in the territories of the Russian Federation or the Member States for a period not exceeding 90 days per period of 180 days

P19: Visa Facilitation Agreement Serbia.pdf - 19:38 [REAFFIRMING the intention to c..] (1:556-1:850) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

REAFFIRMING the intention to cooperate closely within the framework of the future SAA structures for the liberalisation of the visa regime between the Republic of Serbia and the European Union, in line with the conclusions of the EU-Western Balkans Summit held in Thessaloniki on 21 June 2003,

P19: Visa Facilitation Agreement Serbia.pdf - 19:39 [DESIRING, as a first concrete ..] (1:853-1:1155) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 the Republic of Serbia

P19: Visa Facilitation Agreement Serbia.pdf - 19:40 [RECOGNISING that visa facilita..] (1:1655-1:1784) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

RECOGNISING that visa facilitation should not lead to illegal migration and
PAYING SPECIAL ATTENTION to security and readmission,

P19: Visa Facilitation Agreement Serbia.pdf - 19:41 [Article 2 General clause 1. Th..] (1:2960-1:3603) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 2

General clause

1. The visa facilitations provided in this Agreement shall apply to citizens of the Republic of Serbia 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 the Republic of Serbia, 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.

P19: Visa Facilitation Agreement Serbia.pdf - 19:42 [1. For the following categorie..] (2:1125-3:2238) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

(a) for members of official delegations who, following an official invitation addressed to the Republic of Serbia, shall participate in meetings, consultations, negotiations or exchange

programmes, as well as in events held in the territory of the Member States by intergovernmental organisations:

— a letter issued by an authority from the Republic of Serbia confirming that the applicant is a member of its delegation travelling to the other Party to participate in the aforementioned events, accompanied by a copy of the official invitation;

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

— a written request from a host legal person or company, organisation or an office or branch of such legal person or company, state or local authorities of the Member States or organising committees of trade and industrial exhibitions, conferences and symposia held in the territories of the Member States, endorsed by the Chamber of Commerce of the Republic of Serbia;

(c) for drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Serbia;

— a written request from a national company or association of carriers of the Republic of Serbia providing for international road transportation, proving the purpose, duration and frequency of the trips;

(d) for members of train, refrigerator and locomotive crews travelling to the territories of the Member States:

— a written request from the competent railway company of the Republic of Serbia, stating the purpose, duration and frequency of the trips;

(e) for journalists:

— a certificate or other document issued by a professional organisation proving that the person concerned is a qualified journalist and document issued by his/her employer, stating that the purpose of the journey is to carry out journalistic work;

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

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

(g) for pupils, students, post-graduate students 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 certificate of enrolment from the host university, college or school, or student cards or certificates of the courses to be attended;

(h) 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 States;

(i) for participants in official exchange programmes organised by twin municipalities and cities:

— a written request of the head of administration/mayor of these municipalities and cities;

L 334/138 EN Official Journal of the European Union 19.12.2007(j) for close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren, visiting citizens of the Republic of Serbia legally residing in the territories of the Member States:

— a written request from the host person;

(k) 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;

(l) for persons attending burial ceremonies:

— an official document confirming the fact of death, as well as confirmation of the family or other relationship between the applicant and the buried;

(m) for persons visiting for medical reasons and necessary accompanying persons:

— an official document of the medical institution confirming the necessity of medical care in this institution and the necessity of being accompanied and proof of sufficient financial means to pay for the medical treatment;

(n) for representatives of civil society organisations when undertaking trips for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes:

— a written request issued by the host organisation, a confirmation that the person is representing the civil society organisation and the certificate on establishment of such organisation from the relevant Register issued by a state authority in accordance with the national legislation;

(o) for representatives of the religious communities in the Republic of Serbia:

— a written request from a religious community registered in the Republic of Serbia, stating the purpose, duration and frequency of trips;

(p) for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States:

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

(q) for persons travelling for tourism:

— a certificate or voucher from a travel agency or a tour operator accredited by Member States in the framework of the local consular cooperation confirming the booking of an organised trip.

P19: Visa Facilitation Agreement Serbia.pdf - 19:43 [1. Diplomatic missions and con..] (3:3468-4:3018) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

(a) for members of national and provincial/regional Governments and Parliaments, the Constitutional Court and the Supreme Court of Cassation in case they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties, with the term of validity limited to their term of office if this is less than five years;

(b) for permanent members of official delegations who, following an official invitation addressed to the Republic of Serbia,

shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(c) for spouses and children (including adopted), who are under the age of 21 or are dependent and parents visiting citizens of the Republic of Serbia 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.

19.12.2007 EN Official Journal of the European Union L 334/1392. Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with a 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) for members of official delegations who, following an official invitation addressed to the Republic of Serbia, shall regularly participate in meetings, consultations, negotiations or

exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;

(b) for business people and representatives of business organisations who regularly travel to Member States;

(c) for drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in the Republic of Serbia;

(d) for members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(e) for journalists;

(f) for persons participating in scientific, cultural and artistic activities, including university and other exchange programmes who regularly travel to Member States;

(g) for students and post-graduate students who regularly travel for the purposes of study or educational training, including in the framework of exchange programmes;

(h) for participants in international sport events and persons accompanying them in a professional capacity;

(i) for participants in official exchange programmes organised by twin municipalities and cities;

(j) for persons needing to visit regularly for medical reasons and

necessary accompanying persons;

(k) for representatives of civil society organisations travelling regularly to Member States for the purposes of educational training, seminars, conferences, including in the framework of exchange programmes;

(l) for representatives of religious communities registered in the Republic of Serbia, who regularly travel to the Member States;

(m) for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events who regularly travel to the Member States.

3. Diplomatic missions and consular posts of the Member

States shall issue multiple-entry visas with a term of validity of a

minimum of two years and a maximum of five years to the categories of persons referred to in paragraph 2 of this Article, provided that during the previous two 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 and that the reasons for requesting a multiple-entry visa are still valid.

4. The total period of stay of persons referred to in paragraphs 1-3 of this Article shall not exceed 90 days per period of 180 days in the territory of the Member States.

P19: Visa Facilitation Agreement Serbia.pdf - 19:44 [1. The fee for processing visa..] (4:3071-5:1736) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. The fee for processing visa applications of citizens of the Republic of Serbia shall amount to € 35.

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

If the Republic of Serbia was to reintroduce the visa requirement

for EU citizens, the visa fee to be charged by the Republic of Serbia shall not be higher than €35 or the amount agreed if the fee is reviewed in accordance with the procedure provided for in Article 14(4).

2. Fees for processing the visa application are waived for the following categories of persons:

(a) for members of official delegations who, following an official invitation addressed to the Republic of Serbia, shall participate in meetings, consultations, negotiations or exchange

programmes, as well as in events held in the territories of the Member States by intergovernmental organisations;

(b) for members of national and provincial/regional Governments and Parliaments, the Constitutional Court and the Supreme Court of Cassation, in case they are not exempted from the visa requirement by the present Agreement;

(c) for persons participating in scientific, cultural and artistic activities, including university and other exchange programmes;

(d) for pupils, students, post-graduate students 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;

(e) for participants in international sport events and persons accompanying them in a professional capacity;

(f) for participants in official exchange programmes organised by twin municipalities and cities;

(g) for disabled persons and the person accompanying them, if necessary;

L 334/140 EN Official Journal of the European Union 19.12.2007(h) for representatives of civil society organisations travelling to attend meetings, seminars, exchange programmes or training courses;

(i) for 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;

(j) for journalists;

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

(l) for members of train, refrigerator and locomotive crews travelling to the territories of the Member States;

(m) for close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren, visiting citizens of the Republic of Serbia legally residing in the territories of the Member States.

(n) for representatives of religious communities registered in the Republic of Serbia, who regularly travel to the Member States;

(o) for members of the professions participating in international exhibitions, conferences, symposia, seminars or other similar events held in the territory of the Member States;

(p) for pensioners;

(q) for children under six years of age.

3. By way of derogation from paragraph 1 above, Bulgaria and Romania which are bound by the Schengen acquis but which do not yet issue Schengen visas, may waive the fees for processing

national short stay visa applications for citizens of the Republic of Serbia, until the day to be determined by the Council Decision for their full implementation of the Schengen acquis on visa policy

P19: Visa Facilitation Agreement Serbia.pdf - 19:45 [Diplomatic passports 1. Citizens..] (5:3344-5:3693) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

Diplomatic passports

1. Citizens of the Republic of Serbia, holders of valid diplomatic passports can enter, leave and transit through the territories of the Member States without visas.
2. Persons mentioned in paragraph 1 of this Article may stay in the territories of the Member States for a period not exceeding 90 days per period of 180 days.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:32 [WITH A VIEW to further develop..] (1:228-1:541) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]
No memos

WITH A VIEW to further developing friendly relations between the Contracting Parties and 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 Ukrainian citizens,

P20: Visa Facilitation Agreement Ukraine.pdf - 20:33 [DESIRING to regulate the regime..] (1:544-1:655) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

DESIRING to regulate the regime of mutual travel of citizens of Ukraine and Member States of the European Union,

P20: Visa Facilitation Agreement Ukraine.pdf - 20:34 [HAVING REGARD to the EU Ukrain..] (1:1107-1:1456) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

HAVING REGARD to the EU Ukraine Policy Action Plan, which noted that a constructive dialogue on visa facilitation between the EU and Ukraine would be established, with a view to preparing for negotiations on a visa facilitation agreement, taking account of the need for progress on the ongoing negotiations for an EC-Ukraine readmission agreement,

P20: Visa Facilitation Agreement Ukraine.pdf - 20:35 [RECOGNISING that visa facilita..] (1:1459-1:1588) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P20: Visa Facilitation Agreement Ukraine.pdf - 20:36 [Article 2 General clause 1. Th..] (1:2835-1:3450) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 2

General clause

1. The visa facilitations provided in this Agreement shall apply to citizens of Ukraine 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 Ukraine, 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.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:37 [1. For the following categorie..] (2:1035-3:2460) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

(a) for members of official delegations who, following an official invitation addressed to Ukraine, 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 an Ukrainian authority confirming that the applicant is a member of its delegation travelling to the other Party to participate at the aforementioned events, accompanied by a copy of the official invitation;

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

— a written request from a host legal person or company, or an office or a branch of such legal person or company, State and local authorities of the Member States or organising committees of trade and industrial exhibitions, conferences and symposia held in the territories of the Member States;

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

— a written request from the national association of carriers of Ukraine providing for international road transportation, stating the purpose, duration and frequency of the trips;

(d) for members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States:

— a written request from the competent railway company of Ukraine stating the purpose, duration and frequency of the trips;

(e) for journalists:

— a certificate or other document issued by a professional organisation proving that the person concerned is a qualified journalist and a document issued by his/her employer stating that the purpose of the journey is to carry out journalistic work;

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

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

(g) for pupils, students, post-graduate students 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;

18.12.2007 Official Journal of the European Union L 332/69 EN(h) for participants in international sports events and persons accompanying them in a professional capacity:

— a written request from the host organisation: competent authorities, national sport Federations and National Olympic Committees of the Member States;

(i) for participants in official exchange programmes organised by twin cities: a written request of the Head of Administration/Mayor of these cities;

(j) for close relatives — spouse, children (including adopted), parents (including custodians), grandparents and grandchildren — visiting citizens of Ukraine legally residing in the territory of the Member States:

— a written request from the host person;

(k) relatives visiting for burial ceremonies:

— an official document confirming the fact of death as well as confirmation of the family or other relationship between the applicant and the buried;

(l) 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;

(m) for visiting for medical reasons:

— an official document of the medical institution confirming necessity of medical care in this institution and proof of sufficient financial means to pay the medical treatment.

2. The written request mentioned in paragraph 1 of this Article shall contain the following items:

(a) for the invited person: name and surname, date of birth, sex, citizenship, number of the identity document, time and purpose of the journey, number of entries and name of minor children accompanying the invited person;

(b) for the inviting person: name and surname and address; or

(c) for the inviting legal person, company or organisation: full name and address and

— if the request is issued by an organisation, 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 Member States.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:38 [1. Diplomatic missions and con..] (3:2508-4:1870) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

(a) members of national and regional Governments and Parliaments, Constitutional Courts and Supreme Courts if they are not exempted from the visa requirement by the present Agreement, in the exercise of their duties, with a term of validity limited to their term of office if this is less than 5 years;

(b) permanent members of official delegations who, following official invitations addressed to Ukraine, shall regularly participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the

territory of the Member States by intergovernmental organisations;
(c) spouses and children (including adopted), who are under the age of 21 or are dependant, and parents (including custodians) visiting citizens of Ukraine 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.

L 332/70 Official Journal of the European Union 18.12.2007 EN(d) business people and representatives of business organisations who regularly travel to the Member States;
(e) journalists.

2. Diplomatic missions and consular posts 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) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in Ukraine;

(b) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(c) persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, who regularly travel to the Member States;

(d) participants in international sports events and persons accompanying them in a professional capacity;

(e) participants in official exchange programmes organised by twin cities.

3. Diplomatic missions and consular posts of the Member States shall issue multiple-entry visas with the term of validity of a minimum of two years and a maximum of five years to the categories of persons referred to in paragraph 2 of this Article, provided that during the previous two 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 and that the reasons for requesting a multiple-entry visa are still valid.

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.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:39 [1. The fee for processing visa..] (4:1923-5:977) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. The fee for processing visa applications of Ukrainian citizens shall amount to EUR 35. The aforementioned amount may be reviewed in accordance with the procedure provided for in Article 14(4).

2. If Ukraine would reintroduce the visa requirement for EU citizens, the visa fee to be charged by Ukraine shall not be higher than EUR 35 or the amount agreed if the fee is reviewed in accordance with the procedure provided for in Article 14(4).

3. The Member States shall charge a fee of EUR 70 for processing visas in cases where the visa application and the supporting documents have been submitted by the visa applicant within three days before his/her envisaged date of departure. This will not apply to cases pursuant to Article 6(4)(b), (c), (e), (f), (j), (k) and Article 7(3). For categories mentioned in Article 6(4)(a), (d), (g), (h), (i), (l) to (n), the fee in urgent cases is the same as provided for in Article 6(1).

4. Fees for processing the visa application are waived for the following categories of persons:

(a) for close relatives — spouses, children (including adopted) parents (including custodians), grandparents and grandchildren — of citizens of Ukraine legally residing in the territory of the Member States;

(b) for members of official delegations who, following an official invitation addressed to Ukraine, 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;

(c) members of national and regional Governments and Parliaments, Constitutional Courts and Supreme Courts, in case they are not exempted from the visa requirement

by the present Agreement;

(d) pupils, students, post-graduate students and accompanying teachers who undertake trips for the purpose of study or educational training;

(e) disabled persons and the person accompanying them, if necessary;

18.12.2007 Official Journal of the European Union L 332/71 EN(f) 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 close relative seriously ill;

(g) participants in international sports events and persons accompanying them;

(h) persons participating in scientific, cultural and artistic activities including university and other exchange programmes;

(i) participants in official exchange programmes organised by twin cities;

(j) journalists;

(k) pensioners;

(l) drivers conducting international cargo and passenger transportation services to the territories of the Member States in vehicles registered in Ukraine;

(m) members of train, refrigerator and locomotive crews in international trains, travelling to the territories of the Member States;

(n) children under the age of 18 and dependant children under the age of 21.

P20: Visa Facilitation Agreement Ukraine.pdf - 20:40 [Article 10 Diplomatic passport..] (5:2512-5:2860) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 10

Diplomatic passports

1. Citizens of Ukraine, holders of valid diplomatic passports can enter, leave and transit through the territories of the

Member States without visas.

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

P21: Visa Facilitation Agreement Ukraine ammendment.pdf - 21:15 [DESIRING to further facilitate..] (1:448-1:705) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

DESIRING to further facilitate people to people contacts,

RECOGNISING the importance of the introduction of a visafree travel regime for the citizens of Ukraine in due course, provided that the conditions for well-managed and secure mobility are in place,

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:20 [(1) Under Article 62(2)(b) of ..] (1:583-1:1121) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(1) Under Article 62(2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (

1

). Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:21 [(2) The determination of those..] (1:1124-1:1554) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(2) The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:22 [1. A Member State may provide ..] (2:1242-2:2154) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. A Member State may provide for exceptions from the visa requirement provided for by Article 1(1) or for the exemption from the visa requirement provided for by Article 1(2) as regards:

- (a) holders of diplomatic passports, official-duty passports and other official passports;
- (b) civilian air and sea crew;
- (c) the flight crew and attendants on emergency or rescue flights and other helpers in the event of disaster or accident;
- (d) the crew of ships navigating in international waters;
- (e) the holders of official documents issued by international organisations.

2. A Member State may exempt from the visa requirement a school pupil having the nationality of a third country listed in Annex I who resides in a third country listed in Annex II and is travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question.

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:2 [The Amsterdam Treaty brought a..] (1:795-1:1354) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?]

No memos

The Amsterdam Treaty brought all the other aspects of visa policy into the Community framework, integrating them into the new Title IV of the EC Treaty (visas, asylum, immigration and other policies related to free movement of persons), the objective of which is to establish an area of freedom, security and justice. At the same time, a Protocol annexed to the Amsterdam Treaty integrated the Schengen acquis in the Union; this extended to the whole range of harmonisation measures regarding visas which the Schengen States have so far introduced.

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:8 [There are various reasons for ..] (3:219-3:757) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

There are various reasons for preferring a Regulation to a Directive. For one thing, the determination of the list of third countries whose nationals must be in possession of visas and those whose nationals are exempt from that requirement leaves no room for discretion as to transposal. For another, delays in transposal in one or other Member State would generate a wide range of practical difficulties, some of which would jeopardise the operation of the visa rules in the Schengen acquis, already incorporated in the Union.

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:9 [To determine whether nationals..] (7:2495-8:2155) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

To determine whether nationals of a third country are subject to the visa requirement or exempted from it, regard should be had to a set of criteria should that can be grouped under three main headings:

- illegal immigration: the visas rules constitute an essential instrument for controlling migratory flows. Here, reference can be made to a number of relevant sources of statistical information and indicators to assess the risk of illegal migratory flows (such

as information and/or statistics on illegal residence, cases of refusal of admission to the territory, expulsion measures, and clandestine immigration and labour networks), to assess the reliability of travel documents issued by the relevant third country and to consider the impact of readmission agreements with those countries;

- public policy: conclusions reached in the police cooperation context among others may highlight specific salient features of certain types of crime. Depending on the seriousness, regularity and territorial extent of the relevant forms of crime, imposing the visa requirement could be a possible response worth considering. Threats to public order may in some cases be so serious as even to jeopardise domestic security in one or more Member States. If the visa requirement was imposed in a show of solidarity by the other Member States, this could again be an appropriate response;

- international relations: the option for or against imposing the visa requirement in respect of a given third country can be a means of underlining the type of relations which the Union is intending to establish or maintain with it. But the Union's relations with a single country in isolation are rarely at stake here. Most commonly it is the relationship with a group of countries, and the option in favour of a given visa regime also has implications in terms of regional coherence. The choice of visa regime can also reflect the specific position of a Member State in relation to a third country, to which the other Member States adhere in a spirit of solidarity. The reciprocity criterion, applied by States individually and separately in the traditional form of relations under public international law, now has to be used by reason of the constraints of the Union's external relations with third countries.

Given the extreme diversity of situations in third countries and their relations with the European Union and the Member States, the criteria set out here cannot be applied automatically, by means of coefficients fixed in advance. They must be seen as decision-making instruments to be used flexibly and pragmatically, being weighted variably on a case-by-case basis.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:50 [ITLE IV VISAS, ASYLUM, IMMIGRA..] (25:1670-26:348) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

ITLE IV

VISAS, ASYLUM, IMMIGRATION AND OTHER POLICIES RELATED TO FREE
MOVEMENT OF PERSONS

Article 61

In order to establish progressively an area of freedom, security and justice, the Council shall adopt:

(a) within a period of five years after the entry into force of the Treaty of Amsterdam, measures aimed at ensuring the free movement of persons in accordance with Article 14, in conjunction with directly related flanking measures with respect to external border controls, asylum and immigration, in accordance with the provisions of Article 62(2) and (3) and Article 63(1)(a) and (2)(a), and measures to prevent and combat crime in accordance with the provisions of Article 31(e) of the Treaty on European Union;

(b) other measures in the fields of asylum, immigration and safeguarding the rights of nationals of third countries, in accordance with the provisions of Article 63;

(c) measures in the field of judicial cooperation in civil matters as provided for in Article 65;

24.12.2002 EN Official Journal of the European Communities C 325/57(d) appropriate measures to encourage and strengthen administrative cooperation, as provided for in Article 66;

(e) measures in the field of police and judicial cooperation in criminal matters aimed at a high level of security by preventing and combating crime within the Union in accordance with the provisions of the Treaty on European Union.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:51 [. measures on immigration poli..] (27:627-27:972) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

. measures on immigration policy within the following areas:

- (a) conditions of entry and residence, and standards on procedures for the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunion,
- (b) illegal immigration and illegal residence, including repatriation of illegal residents;

P26: Schengen Protocol Page 31-1.pdf - 26:16 [E. The penalties applicable t..] (1:4576-1:4674) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

E. The penalties applicable to carriers and those responsible for organising illegal immigration.

P29: Visa Information System.pdf - 29:9 [Technology can play a key role..] (1:32-1:394) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Technology

can play a key role in improving and reinforcing external borders. Over the past years, the EU has been developing large-scale IT systems for collecting, processing and sharing information relevant to external border management. The Visa Information System, which supports the implementation of the common EU visa policy, is one of these tools.

P29: Visa Information System.pdf - 29:10 [Facilitating checks and the is..] (1:1006-1:2255) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Facilitating checks and the issuance of visas: VIS enables border guards to verify that a person presenting a visa is its rightful holder and to identify persons found on the Schengen territory with no or fraudulent documents. Using biometric data to confirm a visa holder's identity allows for faster, more accurate and more secure checks. The system also facilitates the visa issuance process, particularly for frequent travellers.

Fighting abuses: While the very large majority of visa holders follow the rules, abuses can also take place. For instance, VIS will help in fighting and preventing fraudulent behaviours, such as "visa shopping" (i.e. the practice of making further visa applications to other EU States when a first application has been rejected).

Protecting travellers: Biometric technology enables the detection of travellers using another person's travel documents and protects travellers from identity theft.

Helping with asylum applications: VIS makes it easier to determine which EU State is responsible for examining an asylum application and to examine such applications.

Enhancing security: VIS assists in preventing, detecting and investigating terrorist offences and other serious criminal offences.

P29: Visa Information System.pdf - 29:11 [What is the purpose of VIS? Fa..] (1:977-1:2255) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

What is the purpose of VIS?

Facilitating checks and the issuance of visas: VIS enables border guards to verify that a person presenting a visa is its rightful holder and to identify persons found on the Schengen

territory with no or fraudulent documents. Using biometric data to confirm a visa holder's identity allows for faster, more accurate and more secure checks. The system also facilitates the visa issuance process, particularly for frequent travellers.

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Helping with asylum applications: VIS makes it easier to determine which EU State is responsible for examining an asylum application and to examine such applications.

Enhancing security: VIS assists in preventing, detecting and investigating terrorist offences and other serious criminal offences.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:30 [(1) A common policy on asylum,..] (1:673-1:966) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(1) A common policy on asylum, including a Common European Asylum System, is a constituent part of the European Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the Community.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:31 [(2) The European Council, at i..] (1:969-1:1644) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(2) The European Council, at its special meeting in Tampere on 15 and 16 October 1999, agreed to work towards establishing a Common European Asylum System, based on the full and inclusive application of the Geneva Convention relating to the Status of Refugees of 28 July 1951, as supplemented by the New York Protocol of 31 January 1967, thus ensuring that nobody is sent back to persecution, i.e. maintaining the principle of non-refoulement. In this respect, and without affecting the responsibility criteria laid down in this Regulation, Member

States, all respecting the principle of non-refoulement, are considered as safe countries for third-country nationals.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:32 [(8) The progressive creation o..] (1:3604-1:4071) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(8) The progressive creation of an area without internal frontiers in which free movement of persons is guaranteed in accordance with the Treaty establishing the European Community and the establishment of Community policies regarding the conditions of entry and stay of third country nationals, including common efforts towards the management of external borders, makes it necessary to strike a balance between responsibility criteria in a spirit of solidarity.

P31: Ammendment 1 Council Regulation No 453-2003.pdf - 31:16 [(1) Following the European Cou..] (1:549-1:1219) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(1) Following the European Council held in Seville on 21 and 22 June 2002, which considered as a top priority the review of Regulation (EC) No 539/2001 by the end of 2002 (

3

), the Commission has evaluated the Member States' replies to the questionnaire it sent them in the light of the relevant criteria for the review of Regulation

(EC) No 539/2001, namely illegal immigration, public

policy and security, the European Union's external relations with third countries, regional coherence and reciprocity. It has found that Ecuador should be transferred from Annex II to Annex I to Regulation (EC) No 539/2001 in the light of the illegal immigration criterion.

P32: Seville European Council.pdf - 32:40 [37. In parallel with closer co..] (13:174-13:699) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

37. In parallel with closer cooperation in combating illegal immigration, there is a need to press ahead with the examination of proposals under discussion. The European Council urges the Council to adopt:

- by December 2002, the Dublin II Regulation;
- by June 2003, the minimum standards for qualification for refugee status and the content of refugee status and the provisions on family reunification and the status of long-term permanent residents;
- by the end of 2003, the common standards for asylum procedures.

P32: Seville European Council.pdf - 32:41 [26. The European Council is de..] (8:860-8:1226) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

26. The European Council is determined to speed up the implementation of all aspects of the programme adopted in Tampere for the creation of an area of freedom, security and justice in the European Union. The European Council points here to the need to develop a European Union common policy on the separate, but closely related, issues of asylum and immigration.

P32: Seville European Council.pdf - 32:42 [28. Measures taken in the shor..] (8:1859-8:2268) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

28. Measures taken in the short and medium term for the joint management of migration flows must strike a fair balance between, on the one hand, a policy for the integration of lawfully resident immigrants and an asylum policy complying with international conventions, principally the 1951 Geneva Convention, and, on the other, resolute action to combat illegal immigration and trafficking in human beings.

P32: Seville European Council.pdf - 32:43 [29. The Union's action in this..] (9:74-9:886) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

29. The Union's action in this area must be based on the following principles:

- the legitimate aspiration to a better life must to be reconcilable with the reception capacity of the Union and its Member States and immigration must pass through the legal channels provided for it; the integration of immigrants lawfully present in the Union entails both rights and obligations in relation to the fundamental rights recognised within the Union; combating racism and xenophobia is of essential importance here;
- in accordance with the 1951 Geneva Convention, it is important to afford refugees swift, effective protection, while making arrangements to prevent abuse of the system and ensuring that those whose asylum applications have been rejected are returned to their countries of origin more quickly.

P32: Seville European Council.pdf - 32:44 [Measures to combat illegal imm..] (9:889-10:706) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Measures to combat illegal immigration

30. In the comprehensive plan to combat illegal immigration, the European Union has equipped itself with an effective means of bringing about the proper management of migration flows and combating illegal immigration. The European Council calls on the Council and the Commission, within their respective spheres of responsibility, to attach top priority to the following measures contained in the plan:

- review, before the end of the year, of the list of third countries whose nationals are required to have visas or are exempt from that requirement;
- introduction, as soon as possible, of a common identification system for visa data, in the light of a feasibility study to be submitted in March 2003 and on the basis of guidelines from the Council; a preliminary report will be presented before the end of 2002;
- speeding up of the conclusion of readmission agreements currently being negotiated and approval of new briefs for the negotiation of readmission agreements with countries already identified by the Council; Presidency Conclusions ñ Seville, 21 and 22 June 2002

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EN

- as regards expulsion and repatriation policies, adoption by the end of the year of the

components of a repatriation programme based on the Commission Green Paper; those components must include the best possible facilities for early return to Afghanistan;

- formal adoption, at the next Justice and Home Affairs Council meeting, of the Framework Decision on combating trafficking in human beings, the Framework Decision on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence and the Directive defining the facilitation of unauthorised entry, transit and residence

P32: Seville European Council.pdf - 32:45 [33. The European Council consi..] (11:769-11:1880) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

33. The European Council considers that combating illegal immigration requires a greater effort on the part of the European Union and a targeted approach to the problem, with the use of all appropriate instruments in the context of the European Union's external relations. To that end, in accordance with the Tampere European Council conclusions, an integrated, comprehensive and balanced approach to tackling the root causes of illegal immigration must remain the European Union's constant long-term objective. With this in mind, the European Council points out that closer economic cooperation, trade expansion, development assistance and conflict prevention are all means of promoting economic prosperity in the countries concerned and thereby reducing the underlying causes of migration flows. The European Council urges that any future cooperation, association or equivalent agreement which the European Union or the European Community concludes with any country should include a clause on joint management of migration flows and on compulsory readmission in the event of illegal immigration.

P32: Seville European Council.pdf - 32:46 [35. The European Council consi..] (12:815-12:1278) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

35. The European Council considers it necessary to carry out a systematic assessment of relations with third countries which do not cooperate in combating illegal immigration. That assessment will be taken into account in relations between the European Union and its Member States and the countries concerned, in all relevant areas. Insufficient cooperation by a country could hamper the establishment of closer relations between that country and the

Union.

P33: Treaty on the Functioning of the European Union.pdf - 33:31 [1. The Union shall develop a c..] (31:1030-31:2131) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings.
2. For the purposes of paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures in the following areas:
 - (a) the conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification;
 - (b) the definition of the rights of third-country nationals residing legally in a Member State, including the conditions governing freedom of movement and of residence in other Member States;
 - (c) illegal immigration and unauthorised residence, including removal and repatriation of persons residing without authorisation;
 - (d) combating trafficking in persons, in particular women and children.

P35: Schengen Acquis.pdf - 35:3 [Aware that the ever closer uni..] (20:209-20:461) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?]

No memos

Aware that the ever closer union of the peoples of the Member States of the European Communities should find its expression in the freedom to cross internal borders for all nationals of the Member States and in the free movement of goods and services,

P35: Schengen Acquis.pdf - 35:17 [1. External borders may in pri..] (33:1299-33:1845) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. External borders may in principle only be crossed at border crossing points and

during the fixed opening hours. More detailed provisions, exceptions and arrangements for local border traffic, and rules governing special categories of maritime traffic such as pleasure boating and coastal fishing, shall be adopted by the Executive Committee.

2. The contracting parties undertake to introduce penalties for the unauthorised crossing of external borders at places other than crossing points or at times other than the fixed opening hours.

P36: Regulation 767-2008.pdf - 36:25 [(1) Building upon the conclusi..] (1:569-1:1000) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(1) Building upon the conclusions of the Council of 20 September 2001, and the conclusions of the European Council in Laeken in December 2001, in Seville in June 2002, in Thessaloniki in June 2003 and in Brussels in March 2004, the establishment of the Visa Information System (VIS) represents one of the key initiatives within the policies of the European Union aimed at establishing an area of freedom, security and justice.

P36: Regulation 767-2008.pdf - 36:26 [(5) The VIS should have the pu..] (1:2339-1:3430) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(5) The VIS should have the purpose of improving the implementation of the common visa policy, consular cooperation and consultation between central visa authorities by facilitating the exchange of data between Member States on applications and on the decisions relating thereto, in order to facilitate the visa application procedure, to prevent 'visa shopping', to facilitate the fight against fraud and to facilitate checks at external border crossing points

and within the territory of the Member States. The VIS should also assist in the identification of any person who may not, or may no longer, fulfil the conditions for entry to, stay or residence on the territory of the Member States, and facilitate the application of Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanism for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national (3), and contribute to the prevention of threats to the internal security of any of the Member States.

P36: Regulation 767-2008.pdf - 36:27 [The VIS shall have the purpose..] (4:1388-4:2359) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

The VIS shall have the purpose of improving the implementation of the common visa policy, consular cooperation and consultation between central visa authorities by facilitating the exchange of data between Member States on applications and on the decisions relating thereto, in order:

- (a) to facilitate the visa application procedure;
- (b) to prevent the bypassing of the criteria for the determination of the Member State responsible for examining the application;
- (c) to facilitate the fight against fraud;
- (d) to facilitate checks at external border crossing points and within the territory of the Member States;
- (e) to assist in the identification of any person who may not, or may no longer, fulfil the conditions for entry to, stay or residence on the territory of the Member States;
- (f) to facilitate the application of Regulation (EC) No 343/2003;
- (g) to contribute to the prevention of threats to the internal security of any of the Member States.

P37: Regulation 810-2009.pdf - 37:29 [(3) As regards visa policy, th..] (1:1081-1:1810) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(3) As regards visa policy, the establishment of a 'common corpus' of legislation, particularly via the consolidation and development of the *acquis* (the relevant provisions of the Convention implementing the Schengen Agreement of 14 June 1985 (

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Consular Instructions (

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), is one of the fundamental

components of 'further development of the common visa policy as part of a multi-layer system aimed at facilitating legitimate travel and tackling illegal immigration through further harmonisation of national legislation and handling practices at local consular missions', as defined in the Hague Programme: strengthening freedom, security and justice in the European Union (

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P37: Regulation 810-2009.pdf - 37:30 [2. In urgent cases of mass inf..] (5:2014-5:2472) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

2. In urgent cases of mass influx of illegal immigrants, individual Member States may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on their territory. Member States shall notify the Commission of such decisions before their entry into force and of withdrawals of such an airport transit visa requirement.

P37: Regulation 810-2009.pdf - 37:31 [1. Applicants for a uniform vi..] (10:1067-10:1442) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. Applicants for a uniform visa for one or two entries shall prove that they are in possession of adequate and valid travel medical insurance to cover any expenses which might arise in connection with repatriation for medical reasons, urgent medical attention and/or emergency hospital treatment or death, during their stay(s) on the territory of the Member States.

P37: Regulation 810-2009.pdf - 37:32 [Article 21 Verification of ent..] (12:978-12:4376) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 21

Verification of entry conditions and risk assessment

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code, and particular consideration shall be given to assessing whether the applicant presents a risk of illegal immigration or a risk to the security of the Member States and whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for.
2. In respect of each application, the VIS shall be consulted in accordance with Articles 8(2) and 15 of the VIS Regulation. Member States shall ensure that full use is made of all search criteria pursuant to Article 15 of the VIS Regulation in order to avoid false rejections and identifications.
3. While checking whether the applicant fulfils the entry conditions, the consulate shall verify:
 - (a) that the travel document presented is not false, counterfeit or forged;
 - (b) the applicant's justification for the purpose and conditions

of the intended stay, and that he has sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is in a position to acquire such means lawfully;

(c) whether the applicant is a person for whom an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry;

(d) that the applicant is not considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where no alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds;

(e) that the applicant is in possession of adequate and valid travel medical insurance, where applicable.

4. The consulate shall, where applicable, verify the length of previous and intended stays in order to verify that the applicant has not exceeded the maximum duration of authorised stay in the territory of the Member States, irrespective of possible stays authorised under a national long-stay visa or a residence permit issued by another Member State.

5. The means of subsistence for the intended stay shall be assessed in accordance with the duration and the purpose of the stay and by reference to average prices in the Member State(s) concerned for board and lodging in budget accommodation, multiplied by the number of days stayed, on the basis of the reference amounts set by the Member States in accordance with Article 34(1)(c) of the Schengen Borders Code. Proof of sponsorship and/or private accommodation may also constitute evidence of sufficient means of subsistence.

6. In the examination of an application for an airport transit visa, the consulate shall in particular verify:

(a) that the travel document presented is not false, counterfeit or forged;

(b) the points of departure and destination of the third-country

national concerned and the coherence of the intended itinerary and airport transit;
(c) proof of the onward journey to the final destination.

P37: Regulation 810-2009.pdf - 37:33 [1. Without prejudice to Articl..] (15:3261-16:787) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. Without prejudice to Article 25(1), a visa shall be refused:

(a) if the applicant:

(i) presents a travel document which is false, counterfeit or forged;

(ii) does not provide justification for the purpose and conditions of the intended stay;

(iii) does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;

(iv) has already stayed for three months during the current six-month period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity;

(v) is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;

15.9.2009 Official Journal of the European Union L 243/15 EN(vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds; or

(vii) does not provide proof of holding adequate and valid travel medical insurance, where applicable;

or

(b) if there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.

P38: Schengen Border Code.pdf - 38:21 [(1) The adoption of measures un..] (1:590-1:919) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(1) The adoption of measures under Article 62(1) of the Treaty with a view to ensuring the absence of any controls on persons crossing internal borders forms part of the Union's objective of establishing an area without internal borders in which the free movement of persons is ensured, as set out in Article 14 of the Treaty.

P38: Schengen Border Code.pdf - 38:22 [(2) In accordance with Article..] (1:922-1:1188) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(2) In accordance with Article 61 of the Treaty, the creation of an area in which persons may move freely is to be flanked by other measures. The common policy on the crossing of external borders, as provided for by Article 62(2) of the Treaty, is such a measure.

P38: Schengen Border Code.pdf - 38:23 [(6) Border control is in the i..] (1:2945-1:3343) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(6) Border control is in the interest not only of the Member State at whose external borders it is carried out but of all

Member States which have abolished internal border control. Border control should help to combat illegal immigration and trafficking in human beings and to prevent any threat to the Member States' internal security, public policy, public health and international relations.

P38: Schengen Border Code.pdf - 38:24 [(8) Border control comprises n..] (1:3563-1:3979) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(8) Border control comprises not only checks on persons at border crossing points and surveillance between these border crossing points, but also an analysis of the risks for internal security and analysis of the threats that may affect the security of external borders. It is therefore necessary to lay down the conditions, criteria and detailed rules governing checks at border crossing points and surveillance.

P38: Schengen Border Code.pdf - 38:25 [(15) Member States should also..] (2:2588-2:3126) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(15) Member States should also have the possibility of temporarily reintroducing border control at internal borders in the event of a serious threat to their public policy or internal security. The conditions and procedures for doing so should be laid down, so as to ensure that any such measure is exceptional and that the principle of proportionality is respected. The scope and duration of any temporary reintroduction of border control at internal borders should be restricted to the bare minimum needed to respond to that threat.

P38: Schengen Border Code.pdf - 38:26 [19. 'threat to public health' ..] (5:1-5:314) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

19. 'threat to public health' means any disease with epidemic potential as defined by the International Health Regulations of the World Health Organisation and other infectious diseases or contagious parasitic diseases if they are the subject of protection provisions applying to nationals of the Member States.

P38: Schengen Border Code.pdf - 38:27 [1. External borders may be cro..] (5:791-5:1119) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. External borders may be crossed only at border crossing points and during the fixed opening hours. The opening hours shall be clearly indicated at border crossing points which are not open 24 hours a day.

Member States shall notify the list of their border crossing points to the Commission in accordance with Article 34.

P38: Schengen Border Code.pdf - 38:28 [1. For stays not exceeding thr..] (5:2333-5:3663) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. For stays not exceeding three months per six-month period, the entry conditions for third-country nationals shall be the following:

(a) they are in possession of a valid travel document or documents authorising them to cross the border;

(b) they are in possession of a valid visa, if required pursuant to Council Regulation (EC) No 539/2001 of 15 March 2001

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (1

), except

where they hold a valid residence permit;

(c) they justify the purpose and conditions of the intended stay,

and they have sufficient means of subsistence, both for the duration of the intended stay and for the return to their country of origin or transit to a third country into which they are certain to be admitted, or are in a position to acquire such means lawfully;

(d) they are not persons for whom an alert has been issued in the SIS for the purposes of refusing entry;

(e) they are not considered to be a threat to public policy, internal security, public health or the international relations of any of the Member States, in particular where no alert has been issued in Member States' national data bases for the purposes of refusing entry on the same grounds.

P38: Schengen Border Code.pdf - 38:29 [2. All persons shall undergo a..] (6:3562-7:3053) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

2. All persons shall undergo a minimum check in order to establish their identities on the basis of the production or presentation of their travel documents. Such a minimum check shall consist of a rapid and straightforward verification, where appropriate by using technical devices and by consulting, in the relevant databases, information exclusively on stolen, misappropriated, lost and invalidated documents, of the validity of the document authorising the legitimate holder to cross the border and of the presence of signs of falsification or counterfeiting.

The minimum check referred to in the first subparagraph shall be the rule for persons enjoying the Community right of free movement.

However, on a non-systematic basis, when carrying out minimum checks on persons enjoying the Community right of free movement, border guards may consult national and European databases in order to ensure that such persons do not represent a genuine, present and sufficiently serious threat to the internal security, public policy, international relations of the Member States or a threat to the public health.

The consequences of such consultations shall not jeopardise the right of entry of persons enjoying the Community right of free movement into the territory of the Member State concerned as laid down in Directive 2004/38/EC.

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) OJ L 64, 7.3.2003, p. 1.

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) OJ L 53, 23.2.2002, p. 4.

L 105/6 EN Official Journal of the European Union 13.4.20063. On entry and exit, third-country nationals shall be subject to thorough checks.

(a) thorough checks on entry shall comprise verification of the conditions governing entry laid down in Article 5(1) and, where applicable, of documents authorising residence and

the pursuit of a professional activity. This shall include a detailed examination covering the following aspects:

(i) verification that the third-country national is in possession of a document which is valid for crossing the border and which has not expired, and that the document is accompanied, where applicable, by the requisite visa or residence permit;

(ii) thorough scrutiny of the travel document for signs of falsification or counterfeiting;

(iii) examination of the entry and exit stamps on the travel document of the third-country national concerned, in order to verify, by comparing the dates of entry and exit, that the person has not already exceeded the maximum duration of authorised stay in the territory of the Member States;

(iv) verification regarding the point of departure and the destination of the third-country national concerned and the purpose of the intended stay, checking if necessary, the corresponding supporting documents;

(v) verification that the third-country national concerned has sufficient means of subsistence for the duration and purpose of the intended stay, for his or her return to the country of origin or transit to a third country into which he or she is certain to be admitted, or that he or she is in a position to acquire such means lawfully;

(vi) verification that the third-country national concerned, his or her means of transport and the objects he or she is transporting are not likely to jeopardise the public policy, internal security, public health or international relations of any of the Member States. Such verification shall include direct consultation of the data and alerts on persons and, where necessary, objects included in the SIS and in national data files and the action to be performed, if any, as a result of an alert;

(b) thorough checks on exit shall comprise:

(i) verification that the third-country national is in possession of a document valid for crossing the border;

(ii) verification of the travel document for signs of falsification or counterfeiting;

(iii) whenever possible, verification that the third-country national is not considered to be a threat to public policy, internal security or the international relations of any of the Member States;

(c) In addition to the checks referred to in point (b) thorough checks on exit may also comprise:

(i) verification that the person is in possession of a valid visa, if required pursuant to Regulation (EC)

No 539/2001, except where he or she holds a valid residence permit;

(ii) verification that the person did not exceed the maximum duration of authorised stay in the territory of the Member States;

(iii) consultation of alerts on persons and objects included in the SIS and reports in national data files.

P38: Schengen Border Code.pdf - 38:30 [1. The main purpose of border s..] (9:2852-9:3058) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1. The main purpose of border surveillance shall be to prevent unauthorised border crossings, to counter cross-border criminality and to take measures against persons who have crossed the border illegally.

P39: Handbook Organisation Visa Sections.pdf - 39:6 [(2) Article 51 of the Visa Cod..] (3:909-3:1723) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(2) Article 51 of the Visa Code states that operational instructions on the practical application of the provisions of the Regulation should be drawn up with a view to ensuring harmonised implementation of these provisions. A Handbook for the processing of visa applications and the modification of issued visas has been drawn up. It is also appropriate to prepare a 'Handbook for the organisation of visa sections and local Schengen cooperation'. This should contain operational instructions, best practices and recommendations for the central and consular authorities of the Member States responsible for the organisation and functioning of consular services and cooperation between Member States' authorities at central and local level, including the functioning of local Schengen cooperation.

P39: Handbook Organisation Visa Sections.pdf - 39:7 [Checks should be carried out t..] (16:947-17:158) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Checks should be carried out to establish whether insurance companies offering travel medical insurance are effectively liable for claims for accidents that have taken place within the Member States, and that the national legislation of the country where the insurance company is based allows for financial transfers to other countries. Mutual insurance agreements with companies based within the territory of the Member States is not necessarily the solution. In some third countries national legislation forbids such mutual insurance. It is thus important to determine whether local insurance companies are effectively in a position to meet financial obligations in other countries, as this is essential for assisting a potential visa holder within the territory of the Member States. Particular care should be taken to verify whether a local correspondent is indicated in the policy.

It is important to verify the weighting of individual risks, because insurance companies frequently specify in the policy the exact amount covered for each risk. Even if the sum of the different risks amounts to 30000 EUR, the coverage could be misleading. The insurance company might artificially inflate coverage of less expensive risks (administrative expenses, for instance) and, on the contrary, allocate smaller amounts to risks that are likely to be more expensive (hospital treatment and repatriation, for instance). Such policies must be considered to be inadequate.

Consulates should be aware that insurance policies often contain references to significant exclusions or limitations in relation to activities, medical conditions etc., which limit the coverage offered or exclude it entirely. Such policies should also be considered to be inadequate. Adequate warnings should be published on the websites and bulletin boards of consulates, and at the premises of external service providers and honorary consuls.

Travel medical insurance shall cover any expenses which might arise in connection with repatriation for medical reasons, urgent medical attention and/or emergency hospital treatment EN 16 EN or death, only for the duration of the applicant's stay(s) on the territory of the Member States and not throughout the validity of the visa.

P39: Handbook Organisation Visa Sections.pdf - 39:8 [It should be verified that the..] (17:423-17:1019) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

It should be verified that the applicant's insurance actually covers on-the-spot assistance

(medical expenses and repatriation etc.), which should be distinguished from reimbursement of expenses made only when the applicant has returned. If the insurance only covers a posteriori reimbursement, this could call into question the objective of the requirement, which is to save Member States from having to use public funds to cover the expenses of medical treatment etc. for visa holders. Moreover, such products give visa applicants a false impression of being adequately protected.

P39: Handbook Organisation Visa Sections.pdf - 39:9 [3. Assessment of migratory and..] (17:1723-17:1955) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

3. Assessment of migratory and/or security risks based on exchange of information on:

- use of false, counterfeit or forged documents;
- illegal immigration routes;
- refusals/refusal rates (linked to exchange of statistics).

P40: Handbook Processing Visa Application.pdf - 40:4 [1.1.1. For which categories of..] (15:514-15:1992) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1.1.1. For which categories of persons are there Union law derogations from the visa requirement for the territory of all Member States?

- Third-country nationals holding a residence permit issued by a Member State are not exempt as such from the visa requirement but their residence permit is considered as equivalent to a uniform visa. See List of residence permits issued by Member States (Annex 2);
- Holders of diplomatic passports who under the Visa Facilitation Agreements with certain third countries are exempted from the visa requirement;
- Third country nationals holding a "local border traffic permit" when exercising their rights within the context of the Local Border Traffic regime

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(Annex 3);

- School pupils who are nationals of third countries whose nationals are subject to visa requirements and who reside in a EU Member State and travelling in the context of a

school excursion as a member of a group of school pupils accompanied by a teacher from the school in question, see also List of school pupils travelling in the framework of a school excursion within the European Union, (Annex 4);

- Recognised refugees and stateless persons and other persons who do not hold the nationality of any country who reside in a Member State and are holders of a travel document issued by that Member State;
- Certain categories of family members of EU and Swiss citizens are exempt from visa requirements, see Part III.

P40: Handbook Processing Visa Application.pdf - 40:5 [1.1.2. For which categories of..] (15:1997-16:2210) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1.1.2. For which categories of persons are there national derogations from the visa requirement?

According to Regulation (EC) No 539/2001, Member States may individually exempt certain categories of nationals of the third countries normally subject to visa requirements:

- holders of diplomatic, service/official and special passports;
- civilian air and sea crew members in the performance of their duties;

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OJ L 405, 30.12.2006 and OJ L 29, 3.2.2007 EN 15Error! Unknown document property name. EN

- civilian sea crew members, when they go ashore, who hold a seafarer's identity document issued in accordance with the International Labour Organisation Conventions No 108 of 13 May 1958 or No 185 of 16 June or the International Maritime Organisation Convention on Facilitation of International Maritime Traffic of 9 April 1965;
- crew and members of emergency or rescue missions in the event of a disaster or accident; civilian sea crew members navigating in international inland waters;
- holders of travel documents issued by intergovernmental international organisations of which at least one Member State is member, or by entities recognised by the Member State concerned as subjects of international law, to officials of those organisations or entities; members of the armed forces travelling on NATO or Partnership for Peace business;
- holders of identification and movement orders provided for by the Agreement of 19 June 1951 between the parties to the NATO regarding the status of their forces;
- school pupils who are nationals of a third country whose nationals are subject to visa

requirements who reside in a third country whose nationals are not subject to visa requirements and travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question;

- recognised refugees and stateless persons residing in and holding a travel document issued by a third country whose nationals are not subject to visa requirements;
- without prejudice to the requirements stemming from the European Agreement on the Abolition of Visas for Refugees signed at Strasbourg on 20 April 1959, recognised refugees and stateless persons and other persons who do not hold the nationality of any country who reside in the United Kingdom or in Ireland and are holders of a travel document issued by the United Kingdom or Ireland, which is recognised by the Member State concerned.

Information on all such exemptions (point 1.1.2) is published in Information pursuant to Council Regulation (EC) No 539/2001, see Annex 5.

P40: Handbook Processing Visa Application.pdf - 40:6 [1.3.1. Which categories of per..] (17:1251-17:2106) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1.3.1. Which categories of persons are exempted from the airport transit visa requirement?

The following categories of persons are exempt from the obligation to hold an airport transit visa:

a) holders of a valid uniform visa, national long stay visa or residence permit issued by a Member State;

b) holders of a valid visa issued by

– Bulgaria, Croatia, Cyprus, Romania, Liechtenstein, the Ireland or the United Kingdom

– Canada, Japan or the United States of America

or when they return from those countries after having used the visa;

The exemption of holders of valid visas issued by Bulgaria, Croatia, Cyprus, Romania,

Ireland, the United Kingdom, Canada, Japan or the United States of America applies

irrespective of whether the person concerned travels to the country that issued the visa or to another third country.

P40: Handbook Processing Visa Application.pdf - 40:7 [6.3.1. Who is exempt from pres..] (51:51-51:1093) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

6.3.1. Who is exempt from presenting proof of travel medical insurance?

Holders of diplomatic passports do not have to present proof of travel medical insurance.

Family members of EU and Swiss citizens are exempted from the requirement to produce travel medical insurance. This exemption is in line with the exemption of this category of persons from filling in field no. 33 of the application form.

The insurance requirement may be considered to have been met where it is established that an adequate level of medical insurance may be presumed in the light of the applicant's professional situation. The exemption from presenting proof of travel medical insurance may concern particular professional groups, such as seafarers, who are already covered by travel medical insurance as a result of their professional activities.

Persons applying for an airport transit visa are not required to present proof of travel medical insurance, as holders of such visa are not allowed to enter into the territory of Member States.

P40: Handbook Processing Visa Application.pdf - 40:8 [6.3.2. What is an adequate tra..] (51:1097-51:2258) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

6.3.2. What is an adequate travel medical insurance?

The insurance shall be valid throughout the territory of the Member States and cover the entire period of the applicant's intended stay or transit within the validity of the visa, i.e. the insurance shall only cover the period of effective stay, and not the validity of the visa.

The minimum coverage shall be EUR 30 000.

Certain credit card companies include travel insurance as one of the advantages of the credit card. If the coverage offered is in conformity with the criteria in the Visa Code, such credit cards may be accepted as valid insurance.

If the insurance presented is not considered adequate, this should not automatically lead to refusal of the visa application, but the applicant should be allowed to provide such proof before the final decision on the application can be taken.

Within local Schengen cooperation, information on insurance companies offering adequate travel medical insurance, including verification of the type of coverage, should be shared, see Handbook for the organisation of visa sections and local Schengen cooperation, Part II, point 2.3.

P40: Handbook Processing Visa Application.pdf - 40:9 [7.1. Basic principles Once the..] (52:128-52:1028) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.1. Basic principles

Once the consulate has established that it is competent for dealing with a visa application (see chapter 2), that the application is admissible (see point 4.5), and the travel document has been stamped (see point 4.5.2), the VIS should be consulted and the application file should be created in the VIS, when applicable, and the visa application shall be examined to:

- ascertain whether the applicant fulfils the entry conditions,
- assess the risk of illegal immigration and the applicant's intention to leave the territory of the Member States before the expiry of the visa applied for, and
- assess whether the applicant presents a risk to the security or public health of the Member States.

The depth of the examination depends on the risk presented by the applicant according to his nationality, local circumstances, his profile and personal history.

P40: Handbook Processing Visa Application.pdf - 40:10 [7.3. The authenticity and reli..] (53:455-53:1105) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.3. The authenticity and reliability of documents and statements

When examining the application, the consulate must take into account authenticity and reliability of the documents presented and of the applicant's statements, whether verbal or in writing. The level of reliability of documents depends on the local conditions and may therefore vary from one country to another and from one type of document to another. Within local Schengen cooperation consulates should share information and establish best practices.

When the applicant's verbal or written statements lack coherence or appear suspicious, they should be double-checked.

P40: Handbook Processing Visa Application.pdf - 40:11 [7.5. The purpose of the intend..] (54:1659-55:1389) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.5. The purpose of the intended stay

The consulate shall verify the purpose and the legality of the intended stay and the applicant's justification of the purpose of the intended stay and its legality. A large number of invitations from the same host/referee could indicate that the purpose of travel is illegal immigration and/or employment.

The consulate shall obtain as ample information from the applicant upon submission of the application as possible in addition to the supporting documents in order to verify the purpose of the journey.

Therefore, the consulate must in particular check:

- whether the travel document contains a stamp indicating that the holder has previously lodged an application that has been considered admissible at a consulate of another Member State but no visa was issued : in such cases the consulate who has affixed the stamp should be contacted and the reasons for the non-issuance clarified;EN 54Error! Unknown document property name. EN
- whether the purpose corresponds to a stay not exceeding 90 days: if the supporting documents show that the intended stay would exceed 90 days per period of 180 days, the visa applied for should be refused and the possibility of issuing a national long stay visa or a residence permit may be examined in accordance with national law, where applicable;
- whether the declared purpose is coherent and credible and the supporting documents correspond to the stated purpose:

Examples of incoherence between declared purpose of stay and factual information provided:

- an applicant claims to travel to an industrial area, staying in a cheap hotel, for the purpose of tourism;
- an applicant claims to visit a professional event at dates that do not correspond to the actual dates of the event;
- an applicant claims that the purpose of the trip is to visit a friend, but it turns out that the person concerned is absent during that period;
- a trader in jewellery claims to have been invited to attend a medical conference.

Example: A third country-national indicates that the purpose of his trip is to participate in a congress; he presents an invitation but no documentation showing that he holds a profession or a qualification related to the subject of the congress.

The stated purpose is not credible.

P40: Handbook Processing Visa Application.pdf - 40:12 [- whether the purpose of travel..] (55:1392-55:2492) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

- whether the purpose of travel is justified: an application for a visa for medical treatment where local treatment is available may hide an intention to abuse social welfare in the Member State. However that may not always be the case: the applicant may wish to receive medical treatment where other family members reside; or wish to be treated by a doctor who has treated him previously;
- whether the purpose of travel follows a pattern for illegal employment or immigration: individual applicants coming from the same region and always booking at the same hotel could be suspicious;
- whether the purpose is against the national interest of all Member States or of a specific Member State for reasons of security, public order or external relations. Consulates should be aware that a journey may have several different purposes within the same Member State or in the territories of several Member States, e.g.:
 - business meeting followed by a weekend of tourism;
 - paid activity combined with private visit to friends;
 - training followed by a religious pilgrimage.

P40: Handbook Processing Visa Application.pdf - 40:13 [7.6. The conditions of the int..] (56:51-56:659) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.6. The conditions of the intended stay

The consulate shall verify the applicant's justification for the conditions of the intended stay:

- accommodation during the stay;
- the possession of sufficient means of subsistence, both for the duration of the intended stay and for the return to the applicant's country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is in a position to acquire such means lawfully. In order to assess the means of subsistence, the reference amounts set by individual Member States must be taken into account;

P40: Handbook Processing Visa Application.pdf - 40:14 [7.6.2. How to estimate the suf..] (56:1491-57:1406) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.6.2. How to estimate the sufficient means of subsistence for the stay

The consulate should estimate both the amount of sufficient financial means necessary for the stay and the reliability of the financial resources presented. The consulate should always assess the reliability of the means of subsistence presented, according to the local context.

The consulate should roughly estimate the amount necessary on the basis of:

- the length of the intended stay;
- the purpose of the intended journey;
- the cost of living as notified by Member States in accordance with Annex 18. The consulate should accept as sufficient financial resources below that estimate if the applicant benefits from financial support or free services (or at a reduced price) during the period spent within the territory of the Member States;
- proof of sponsorship and/or private accommodation;
- a reliable and credible certificate confirming financial support of a legal resident within the territory of the Member States ;
- a prepaid receipt from a reliable travel agency.

If the applicant presents a work permit issued by a Member State, he might be exempted from presenting additional proof of financial means as it can be assumed that his salary can cover the cost of the short stay. EN 56Error! Unknown document property name. EN

The consulate should request sufficient financial resources above that estimate when the purpose of travel is:

- luxury tourism;
- medical treatment in order to cover the cost of such treatment calculated on the basis of a realistic estimate made by the host medical entity, unless such cost is covered by a reliable entity that can be verified by an accredited doctor;
- study in order to cover the cost of the school fees, unless covered by a reliable sponsorship or proof that such costs have been prepaid.

If the applicant covers the expense of the journey himself, he should present proof of possessing personally the required resources, e.g. by salary slips, bank statements. The consulates may check the reliability and stability of the amounts credited to a bank statement in case of doubt.

If accommodation is provided free of charge to the applicant, the estimate of the necessary financial resources may be reduced accordingly, if the commitment to provide such free

accommodation is reliable.

In case of an all-included invitation or total or partial sponsorship by a private company, any other legal entity or a private person, the consulate should adapt the level of the required resources and check the reliability of the commitment according to the nature of the relationship (commercial, private, etc.).

P40: Handbook Processing Visa Application.pdf - 40:15 [7.7. The security risk and the..] (57:1410-58:805) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.7. The security risk and the public health risk

The consulate shall verify whether the applicant is a person for whom an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry and that the applicant is not considered to be a threat to public policy, internal security or public health or to the international relations of any of the Member States, in particular where no alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds) and the outcome of these checks/consultations must to be taken into account.

To check the security risk, the consulate shall:

- consult the SIS to check whether the visa applicant has been subject to an alert. In case of a “hit”, it shall analyse the results of the SIS consultation to avoid false identification resulting from identical names;

- launch the prior consultation of other Member States, if applicable;

- consult national database in accordance with its national legislation;

The consultation of SIS and the prior consultation of other Member States shall not be carried out when the applicant applies for an airport transit visa.

The consulate may also request an applicant's criminal record in case of strong suspicion regarding the applicant. EN 57Error! Unknown document property name. EN

Regarding public health risks, consulates may refuse visas in case of disease constituting a public health risk as defined by the International Health Regulations (IHR) of the World Health Organisation (WHO) and other infectious diseases or contagious parasitic diseases if they are subject of protection provisions applying to nationals of Member States. In such circumstances, consulates shall receive instructions from their central authorities. “Public health risk” is assessed through the Community Network set up under Decision 2119/98/EC and its Early Warning and Response System (EWRS) and the ECDC, set up by Regulation (EC) No 851/2004 establishing a European centre for disease prevention and control. (See

also: ecdc.europa.eu)

P40: Handbook Processing Visa Application.pdf - 40:16 [7.8. Travel Medical Insurance ..] (58:809-58:1659) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.8. Travel Medical Insurance (TMI)

The consulate shall check whether the TMI presented by the applicant is adequate, i.e. coverage during his intended stay, in case of an application for a single or double-entry visa, or for the first intended stay in case of an application for a multiple-entry visa, before the final decision is taken on the application.

If it is assumed that an adequate level of medical insurance has been demonstrated through other means, e.g. due to the applicant's professional situation, the reliability of the coverage should be verified.

If the length of the intended stay applied for exceeds the validity of the TMI, the consulate shall either limit the length of stay granted to the period covered by the TMI or invite the applicant to acquire a TMI that covers the entire period of the intended stay.

P40: Handbook Processing Visa Application.pdf - 40:17 [7.9. Verification of the lengt..] (58:1664-58:2184) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.9. Verification of the length of previous and intended stays

The consulate shall check the length of previous and intended stays in order to verify that the applicant has not exceeded/will not exceed the maximum duration of authorised stay in the territory of the Member States, irrespective of possible stays authorised under a national longstay visa or a residence permit issued by another Member State, i.e. only stays covered by a uniform visa or a visa with limited territorial validity should be counted..

P40: Handbook Processing Visa Application.pdf - 40:18 [7.12. The assessment of the ri..] (62:51-63:393) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.12. The assessment of the risk of illegal immigration and of the applicant's intention to leave the territory of the Member States before the expiry of the visa

Consulates shall assess:

- the risk of illegal immigration by the applicant to the territory of Member States (i.e. the applicant using travel purposes such as tourism, business, study or family visits as a pretext for permanent illegal settlement in the territory of the Member States) and
- whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for .

Within local Schengen cooperation, consulates should define “profiles” of applicants presenting a specific risk, according to local conditions and circumstances which also takes account of the general situation in the country of residence (e.g. politically unstable areas, high level of unemployment and wide-spread poverty). Profiles could be based on the stability of the applicant's socio-economic situation, but each individual application shall be assessed on its own merits irrespective of possible "profiles" having been drawn up.

The individual level of stability depends on a number of factors:

- family links or other personal ties in the country of residence;
- family links or other personal ties in the Member States;
- marital status;
- employment situation (salary level, if employed);
- regularity of income (employment, self-employment, pension, revenue from investment, etc.) of the applicant or of his/her spouse, children or dependants;
- the level of income;
- the social status in the country of residence (e.g. elected to public office, NGO representative; profession with a high social status: lawyer, medical doctor, university professor);
- the possession of a house/real estate.

The factors may differ depending on the applicant's country of residence:

Example: a third-country national subject to the visa obligation and legally residing in another third country whose nationals are exempted from the visa requirement (an Indian national residing in Canada or a Chinese national residing in the United States) normally presents a very limited risk of illegal immigration to the Member States.

The socio-economic situation may also present diverging aspects: an unemployed applicant may benefit from a very stable financial situation and a well-paid applicant might consider illegal immigration for personal reasons and all elements should be taken into consideration to

ensure an objective assessment. EN 62Error! Unknown document property name. EN

Other aspects to be verified:

- previous illegal stays in the Member States;
- previous abuse of social welfare in the Member States;
- a succession of different visa applications (short stay or long stay visas) presented for different unrelated purposes;
- credibility of the inviting person when the invitation letter is presented.

P47: BNCfiche BZ visa voor economische groei 2013.pdf - 47:6 [De mededeling richt zich op mo..] (2:729-2:1318) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

De mededeling richt zich op mogelijkheden waarop het visumbeleid kan worden toegepast en verbeterd. Het doel hiervan is de economische groei van de EU te bevorderen binnen de kaders van bestaande regelgeving, in het bijzonder in de vorm van het faciliteren van reizen voor toeristische doeleinden. Dit zal volgens de Commissie positieve gevolgen hebben voor de economie en werkgelegenheid. De Commissie zal streven naar een toename van bonafide reizigers die de EU-landen willen bezoeken, waarbij de veiligheid van de grenzen van het Schengenterritorium gegarandeerd blijft.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:4 [This proposal takes into accou..] (2:293-2:705) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

This proposal takes into account the increased political emphasis given to the economic impact of visa policy on the wider European Union economy, and in particular on tourism, to ensure greater consistency with the growth objectives of the Europe 2020 strategy, in line with the Commission's communication Implementation and development of the common visa policy to spur growth in the European Union.

1

P48: COM_2014_164_EN_ACTE_f.pdf - 48:5 [The proposed amendments while ..] (2:2796-3:123) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

The proposed amendments while maintaining security at the external borders and ensuring the good functioning of the Schengen area, make travel easier for legitimate travellers and simplify the legal framework in the interest of Member States, e.g. by allowing more flexible rules on consular cooperation. The common visa policy should contribute to generating

1

COM(2012) 649 final.

2

COM (2014) 165.

3

SWD (2014) 101 . EN 3 EN

growth and be coherent with other EU policies on external relations, trade, education, culture and tourism.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:6 [The IA also showed that the ve..] (4:576-4:706) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

The IA also showed that the very high potential economic impact of the maximum option is associated with a higher security risk.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:7 [While it was clear that the ma..] (4:1515-4:2089) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

While it was clear that the maximum option had a very high potential economic impact, it is associated with a potentially higher security risk, too. To mitigate this risk, the approach proposed is to issue longer-validity MEVs gradually to 'VIS registered regular travellers' (first for three years, then on the basis of lawful use of that visa, for five years). The impacts of this approach fall between the intermediate and the maximum option identified in the IA, probably

closer to the impacts of the maximum option as far as the economic impacts are concerned

P48: COM_2014_164_EN_ACTE_f.pdf - 48:8 [The economic impacts of all th..] (5:15-5:761) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

The economic impacts of all the policy options were considered fairly modest. In fact due to the very nature of the problem, the policy options were not aimed at generating economic growth in the first place, but providing a better service for visa applicants and providing a good legal framework for Member States to rationalise their resources. The financial impacts of 'mandatory representation' were considered not to be significant because, in principle, if a high number of visa applications is addressed to a Member State in a given third country that state will, in principle, already have ensured consular presence by being present or represented. Moreover the visa fee, in principle, covers the average cost of processing.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:9 [? Regulation (EC) No 810/2009 ..] (20:747-20:1224) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

⊗ Regulation (EC) No 810/2009 aims, inter alia, to ⊗ 'further development of the common visa policy as part of a multi-layer system aimed at facilitating ⊗ in order to facilitate ⊗ legitimate travel and tackling illegal ⊗ tackle irregular ⊗ immigration through further harmonisation of national legislation and handling practices at local consular missions', as defined in the Hague Programme: strengthening freedom, security and justice in the European Union

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P48: COM_2014_164_EN_ACTE_f.pdf - 48:10 [(6) A smart visa policy should..] (20:1991-20:2375) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(6) A smart visa policy should entail continued security at the external borders whilst ensuring the effective functioning of the Schengen area and facilitating travel opportunities for legitimate travel. The common visa policy should contribute to generating growth and be coherent with other Union policies, such as external relations, trade, education, culture and tourism.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:11 [(10) It should be presumed tha..] (21:621-21:1084) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(10) It should be presumed that applicants who are registered in VIS and have obtained and lawfully used two visas within the 12 months prior to the application fulfil the entry conditions regarding the risk of irregular immigration and the need to possess sufficient means of subsistence. However, this presumption should be rebuttable where the competent authorities establish that one or more of these conditions are not fulfilled in individual cases.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:12 [(12) It is necessary to set ou..] (21:1418-21:2656) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(12) It is necessary to set out rules on the transit through international areas of airports in order to combat illegal ☒ irregular ☒ immigration. ☒ To this end ☒ Thus nationals from a common list of third countries ☒ the nationals of which ☒ should be required to hold airport transit visas ☒ should be established ☒ . Nevertheless, in urgent cases of mass ☒ when a Member State experiences a sudden and substantial ☒ influx of illegal ☒ irregular ☒ immigrants, Member States ☒ it ☒ should be allowed to impose such a ☒ be able to introduce temporarily the airport transit visa ☒ requirement on ☒ for ☒ nationals of ☒ a given ☒ third countries ☒ country ☒ other than those listed in the common list. Member States' individual decisions should be reviewed on an annual basis. ☒ The conditions and procedures for doing so should be laid down, in order to ensure that the application of this measure is limited in time and that in accordance with the principle of proportionality, it does not

go beyond what is necessary in order to achieve the objective. The scope of the airport transit visa requirement should be limited to responding to the specific situation that prompted the introduction of the measure. ⇐

P48: COM_2014_164_EN_ACTE_f.pdf - 48:13 [(38) Statistical data are an i..] (25:1691-25:2066) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(38) Statistical data are an important means of monitoring migratory movements and can serve as an efficient management tool. Therefore, such data should be compiled regularly in a common format. Detailed data on visas should be collected in view of compiling comparative statistics to allow for evidence-based evaluation of the implementation of this Regulation. ⇐

P48: COM_2014_164_EN_ACTE_f.pdf - 48:14 [(40) Local Schengen cooperatio..] (26:50-26:593) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(40) Local Schengen cooperation is crucial for the harmonised application of the common visa policy and for proper assessment of migratory and/or security risks. Given the differences in local circumstances, the operational application of particular specific legislative provisions should be assessed among Member States' diplomatic missions and consular posts in individual locations in order to ensure a harmonised application of the legislative provisions to prevent visa shopping and different treatment of visa applicants.

Results for question:

“Does the text represent and advocate a message?”

Report: 244 quotation(s) for 1 code

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Mode: quotation list names and references

Quotation-Filter: All

Does the text represent or advocate a message?

P 2: Regulation No539-2001.pdf - 2:16 [Without prejudice to the requi..] (4:882-4:1349) (Super)

Codes: [Does the text represent or advocate a message?] [How is the text situated in broader society?]

No memos

Without prejudice to the requirements stemming from the European Agreement on the Abolition of Visas for Refugees signed at Strasbourg on 20 April 1959, recognised refugees and stateless persons shall be required to be in possession of a visa when crossing the external borders of the Member States if the third country in which they are resident and which has issued them with their travel document is a third country listed in Annex I to this Regulation.

P 2: Regulation No539-2001.pdf - 2:24 [listing the third countries wh..] (1:180-1:349) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

P 2: Regulation No539-2001.pdf - 2:31 [2. A Member State may exempt f..] (7:131-7:978) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

2. A Member State may exempt from the visa requirement:

- (a) a school pupil having the nationality of a third country listed in Annex I who resides in a third country listed in Annex II or in Switzerland and Liechtenstein and is travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question;
- (b) recognised refugees and stateless persons if the third country where they reside and which issued their travel document is one of the third countries listed in Annex II;
- (c) members of the armed forces travelling on NATO or Partnership for Peace business and holders of identification and movement orders provided for by the Agreement of 19 June 1951 between the Parties to the North Atlantic Treaty Organisation regarding the status of their forces.

P 2: Regulation No539-2001.pdf - 2:33 [Under Article 62, point (2)(b)..] (2:529-2:1070) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Under Article 62, point (2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom,

security and justice.

P 2: Regulation No539-2001.pdf - 2:35 [The determination of those thi..] (3:460-3:1179) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity. Provision should be made for a Community mechanism enabling this principle of reciprocity to be implemented if one of the third countries included in Annex II to this Regulation decides to make the nationals of one or more Member States subject to the visa obligation.

P 2: Regulation No539-2001.pdf - 2:37 [As regards stateless persons a..] (3:1391-3:2232) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

As regards stateless persons and recognised refugees, without prejudice to obligations under international agreements signed by the Member States and in particular the European Agreement on the Abolition of Visas for Refugees, signed at Strasbourg on 20 April 1959, the decision as to the visa requirement or exemption should be based on the third country in which these persons reside and which issued their travel documents. However, given the differences in the national legislation applicable to stateless persons and to recognised refugees, Member States may decide whether these categories of persons shall be subject to the visa requirement, where the third country in which these persons reside and which issued their travel

documents is a third country whose nationals are exempt from the visa requirement.

P 2: Regulation No539-2001.pdf - 2:38 [In specific cases where specia..] (3:2239-3:2458) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

In specific cases where special visa rules are warranted, Member States may exempt certain categories of persons from the visa requirement or impose it on them in accordance with public international law or custom.

P 2: Regulation No539-2001.pdf - 2:41 [Article 1 1. Nationals of thir..] (4:695-4:868) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Article 1

1. Nationals of third countries on the list in Annex I shall be required to be in possession of a visa when crossing the external borders of the Member States.

P 2: Regulation No539-2001.pdf - 2:43 [recognised refugees and statel..] (5:3-5:209) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

recognised refugees and stateless persons and other persons who do not hold the nationality of any country who reside in a Member State and are holders of a travel document issued by that Member State.

P 2: Regulation No539-2001.pdf - 2:46 [For the purposes of this Regul..] (6:996-6:1409) (Super)

Codes: [Does the text represent or advocate a message?]
No memos

For the purposes of this Regulation, 'visa' shall mean an authorisation issued by a Member State or a decision taken by such State which is required with a view to:

- entry for an intended stay in that Member State or in several Member States of no more than three months in total,
- entry for transit through the territory of that Member State or several Member States, except for transit at an airport.

P 2: Regulation No539-2001.pdf - 2:49 [(1) Under Article 62, point (2..)] (2:525-2:1070) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]
No memos

(1) Under Article 62, point (2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

P 2: Regulation No539-2001.pdf - 2:50 [(5) The determination of those..] (3:456-3:1178) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

(5) The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia to illegal immigration, public policy and security, and to the European Union's external relations with

third countries, consideration also being given to the implications of regional coherence and reciprocity. Provision should be made for a Community mechanism enabling this principle of reciprocity to be implemented if one of the third countries included in Annex II to this Regulation decides to make the nationals of one or more Member States subject to the visa obligation

P 2: Regulation No539-2001.pdf - 2:51 [3. A Member State may provide ..] (7:985-7:1173) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

3. A Member State may provide for exceptions from the exemption from the visa requirement provided for in Article 1(2) as regards persons carrying out a paid activity during their stay.

P 2: Regulation No539-2001.pdf - 2:53 [listing the third countries wh..] (2:56-2:227) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

P 2: Regulation No539-2001.pdf - 2:54 [(7) As regards stateless perso..] (3:1387-3:2232) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(7) As regards stateless persons and recognised refugees, without prejudice to obligations under international agreements signed by the Member States and in particular the European Agreement on the Abolition of Visas for Refugees, signed at Strasbourg on 20 April 1959, the decision as to the visa requirement or exemption should be based on the third country in which these persons reside and which issued their travel

documents. However, given the differences in the national legislation applicable to stateless persons and to recognised refugees, Member States may decide whether these categories of persons shall be subject to the visa requirement, where the third country in which these persons reside and which issued their travel documents is a third country whose nationals are exempt from the visa requirement.

P 2: Regulation No539-2001.pdf - 2:55 [1. Nationals of third country..] (4:706-4:868) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. Nationals of third countries on the list in Annex I shall be required to be in possession of a visa when crossing the external borders of the Member States.

P 2: Regulation No539-2001.pdf - 2:56 [2. ?M1 Nationals of third coun..] (4:1356-4:2655) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

2. ►M1 Nationals of third countries on the list in Annex II shall be exempt from the requirement set out in paragraph 1 for stays of no more than three months in all. ◄

▼M5

▼C1

The following shall also be exempt from the visa requirement:
— the nationals of third countries listed in Annex I to this Regulation who are holders of a local border traffic card issued by the Member States pursuant to Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention (

1

) when these holders exercise their right within the context of the Local Border Traffic regime;

— school pupils who are nationals of a third country listed in Annex I and who reside in a Member State applying Council Decision 94/795/JHA of 30 November 1994 on a joint action adopted by the Council on the basis of Article K.3.2.b of the Treaty on European Union concerning travel facilities for school pupils from third countries resident in a Member State (

2

) and are travelling in the context of a school excursion as members of a group of school pupils accompanied by a teacher from the school in question;

P 2: Regulation No539-2001.pdf - 2:57 [— recognised refugees and stat..] (5:1-5:209) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

— recognised refugees and stateless persons and other persons who do not hold the nationality of any country who reside in a Member State and are holders of a travel document issued by that Member State.

P 2: Regulation No539-2001.pdf - 2:58 [Article 4 1. A Member State ma..] (6:1439-7:117) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Article 4

1. A Member State may provide for exceptions from the visa requirement provided for by Article 1(1) or from the exemption from the visa requirement provided for by Article 1(2) as regards:

▼M5

▼C1

(a) holders of diplomatic passports, service/official passports or special passports in accordance with one of the procedures laid down in Articles 1(1) and 2(1) of Regulation (EC) No 789/2001 of 24 April 2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications (

1

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▼B

(b) civilian air and sea crew;

(c) the flight crew and attendants on emergency or rescue flights and other helpers in the event of disaster or accident;

(d) the civilian crew of ships navigating in international waters;

▼M3

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) OJ L 116, 26.4.2001, p. 2. Regulation as amended by Decision 2004/927/EC

(OJ L 396, 31.12.2004, p. 45).(e) the holders of laissez-passer issued by some intergovernmental international organisations to their officials.

P 3: Visa requirements for the Schengen Area map.png - 3:3 [Visa requirements for the Sche..] (82:321) (Super)

Codes: [Does the text represent or advocate a message?]

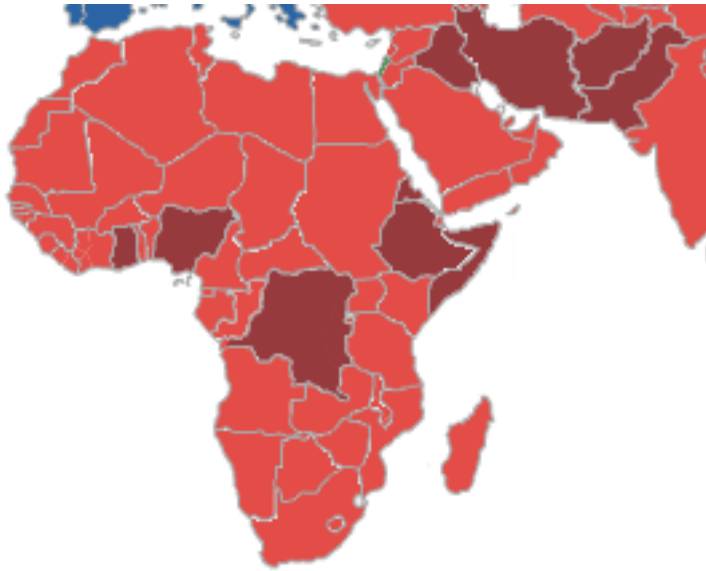
No memos



P 3: Visa requirements for the Schengen Area map.png - 3:4 [Visa requirements for the Sche..] (253:479) (Super)

Codes: [Does the text represent or advocate a message?]

No memos



P 3: Visa requirements for the Schengen Area map.png - 3:5 [Visa requirements for the Sche..] (301:526) (Super)

Codes: [Does the text represent or advocate a message?]

No memos



ries of EU States not part of Schengen

P 3: Visa requirements for the Schengen Area map.png - 3:6 [Visa requirements for the Sche..] (118:283) (Super)

Codes: [Does the text represent or advocate a message?]

No memos



P 4: EU Visa Code, consolidated version.pdf - 4:2 [As regards visa policy, the es..] (2:988-2:1711) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

As regards visa policy, the establishment of a 'common corpus' of legislation, particularly via the consolidation and development of the acquis (the relevant provisions of the Convention implementing the Schengen Agreement of 14 June 1985 (

2

) and the

Common Consular Instructions (

3

), is one of the fundamental

components of 'further development of the common visa policy as part of a multi-layer system aimed at facilitating legitimate travel and tackling illegal immigration through further harmonisation of national legislation and handling practices at local consular missions', as defined in the Hague Programme: strengthening freedom, security and justice in the European Union (

4

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P 4: EU Visa Code, consolidated version.pdf - 4:40 [It is necessary to set out rul..] (3:5-3:530) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

It is necessary to set out rules on the transit through international areas of airports in order to combat illegal immigration. Thus nationals from a common list of third countries should be required to hold airport transit visas. Nevertheless, in urgent cases of mass influx of illegal immigrants, Member States should be allowed to impose such a requirement on nationals of third countries other than those listed in the common list. Member States' individual decisions should be reviewed on an annual basis.

P 4: EU Visa Code, consolidated version.pdf - 4:41 [The reception arrangements for..] (3:537-3:774) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

The reception arrangements for applicants should be made with due respect for human dignity. Processing of visa applications should be conducted in a professional and respectful manner and be proportionate to the objectives pursued.

P 4: EU Visa Code, consolidated version.pdf - 4:75 [(1) In accordance with Article..] (2:491-2:701) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(1) In accordance with Article 61 of the Treaty, the creation of an area in which persons may move freely should be accompanied by measures with respect to external border controls, asylum and

immigration.

P 4: EU Visa Code, consolidated version.pdf - 4:76 [Provided that certain conditio..] (3:1194-3:1563) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Provided that certain conditions are fulfilled, multiple-entry visas should be issued in order to lessen the administrative burden of Member States' consulates and to facilitate smooth travel for frequent or regular travellers. Applicants known to the consulate for their integrity and reliability should as far as possible benefit from a simplified procedure.

P 4: EU Visa Code, consolidated version.pdf - 4:77 [Because of the registration of..] (3:1570-3:2065) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Because of the registration of biometric identifiers in the Visa Information System (VIS) as established by Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (

1

), the appearance of the applicant in person — at least for the first application — should be one of the basic requirements for the application for a visa

P 4: EU Visa Code, consolidated version.pdf - 4:80 [Statistical data are an import..] (4:2909-4:3104) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Statistical data are an important means of monitoring migratory

movements and can serve as an efficient management tool.
Therefore, such data should be compiled regularly in a common format.

P 4: EU Visa Code, consolidated version.pdf - 4:83 [When a Member State hosts the ..] (5:1851-5:2024) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

When a Member State hosts the Olympic Games and the Paralympic Games, a particular scheme facilitating the issuing of visas to members of the Olympic family should apply

P 4: EU Visa Code, consolidated version.pdf - 4:85 [This Regulation respects funda..] (5:2703-5:2968) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

This Regulation respects fundamental rights and observes the principles recognised in particular by the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms and by the Charter of Fundamental Rights of the European Union.

P 4: EU Visa Code, consolidated version.pdf - 4:101 [(3) As regards visa policy, th..] (2:984-2:1711) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(3) As regards visa policy, the establishment of a 'common corpus' of legislation, particularly via the consolidation and development of the *acquis* (the relevant provisions of the Convention implementing the Schengen Agreement of 14 June 1985 (

2

) and the

Common Consular Instructions (

3

), is one of the fundamental components of 'further development of the common visa policy as part of a multi-layer system aimed at facilitating legitimate travel and tackling illegal immigration through further harmonisation of national legislation and handling practices at local consular missions', as defined in the Hague Programme: strengthening freedom, security and justice in the European Union (4).

P 4: EU Visa Code, consolidated version.pdf - 4:102 [(5) It is necessary to set out..] (3:1-3:530) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]
No memos

(5) It is necessary to set out rules on the transit through international areas of airports in order to combat illegal immigration. Thus nationals from a common list of third countries should be required to hold airport transit visas. Nevertheless, in urgent cases of mass influx of illegal immigrants, Member States should be allowed to impose such a requirement on nationals of third countries other than those listed in the common list. Member States' individual decisions should be reviewed on an annual basis.

P 4: EU Visa Code, consolidated version.pdf - 4:103 [(18) Local Schengen cooperatio..] (4:2369-4:2901) (Super)

Codes: [Does the text represent or advocate a message?]
No memos

(18) Local Schengen cooperation is crucial for the harmonised application of the common visa policy and for proper assessment of migratory and/or security risks. Given the differences in local circumstances, the operational application of particular legislative provisions should be assessed among Member States' diplomatic missions and consular posts in individual locations in order to ensure a harmonised application of the legislative provisions to

prevent visa shopping and different treatment of visa applicants.

P 4: EU Visa Code, consolidated version.pdf - 4:104 [(29) This Regulation respects ..] (5:2698-5:2968) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(29) This Regulation respects fundamental rights and observes the principles recognised in particular by the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms and by the Charter of Fundamental Rights of the European Union.

P 4: EU Visa Code, consolidated version.pdf - 4:105 [1. 'third-country national' me..] (8:100-8:230) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty;

P 4: EU Visa Code, consolidated version.pdf - 4:106 [2. In urgent cases of mass inf..] (9:336-9:793) (Super)

Codes: [Does the text represent or advocate a message?] [What messages does the text communicate in terms of institutional and social conventions?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

2. In urgent cases of mass influx of illegal immigrants, individual Member States may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on their territory. Member States shall notify the Commission of such decisions before their entry into force and of withdrawals of such an airport transit visa requirement.

P 4: EU Visa Code, consolidated version.pdf - 4:107 [2. Consulates may waive the re..] (13:411-13:549) (Super)

Codes: [Does the text represent or advocate a message?] [What messages does the text communicate in terms of institutional and social conventions?]

No memos

2. Consulates may waive the requirement referred to in paragraph 1 when the applicant is known to them for his integrity and reliability.

P 4: EU Visa Code, consolidated version.pdf - 4:108 [3. Where fingerprints collected..] (14:1977-14:2648) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

3. Where fingerprints collected from the applicant as part of an earlier application were entered in the VIS for the first time less than 59 months before the date of the new application, they shall be copied to the subsequent application.

However, where there is reasonable doubt regarding the identity of the applicant, the consulate shall collect fingerprints within the period specified in the first subparagraph.

Furthermore, if at the time when the application is lodged, it cannot be immediately confirmed that the fingerprints were collected within the period specified in the first subparagraph, the applicant may request that they be collected.

P 4: EU Visa Code, consolidated version.pdf - 4:109 [(c) documents indicating that ..] (16:105-16:512) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(c) documents indicating that the applicant possesses sufficient means of subsistence both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or that he is in a position to acquire such means lawfully, in accordance with Article 5(1)(c) and (3) of the Schengen Borders Code;

P 4: EU Visa Code, consolidated version.pdf - 4:110 [(d) that the applicant is not ..] (21:1-21:375) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(d) that the applicant is not considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where no alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds;

P 4: EU Visa Code, consolidated version.pdf - 4:111 [1. A visa with limited territo..] (23:1570-23:2277) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. A visa with limited territorial validity shall be issued exceptionally, in the following cases:

- (a) when the Member State concerned considers it necessary on humanitarian grounds, for reasons of national interest or because of international obligations,
- (i) to derogate from the principle that the entry conditions laid down in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code must be fulfilled;
- (ii) to issue a visa despite an objection by the Member State consulted in accordance with Article 22 to the issuing of a uniform visa; or
- (iii) to issue a visa for reasons of urgency, although the prior consultation in accordance with Article 22 has not been carried out;

P 4: EU Visa Code, consolidated version.pdf - 4:112 [1. Without prejudice to Articl..] (26:1024-27:424) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. Without prejudice to Article 25(1), a visa shall be refused:

- (a) if the applicant:
 - (i) presents a travel document which is false, counterfeit or forged;
 - (ii) does not provide justification for the purpose and conditions of

the intended stay;

(iii) does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;

(iv) has already stayed for three months during the current six-month period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity;

(v) is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;

(vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds; or

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 26(vii) does not provide proof of holding adequate and valid travel medical insurance, where applicable;

or

(b) if there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for

P 5: Uniform Format Visa Sticker.pdf - 5:5 [Whereas the introduction of a ..] (1:646-1:1129) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Whereas the introduction of a uniform format for visas is an important step towards the harmonization of visa policy; whereas Article 7a of the Treaty stipulates that the internal market shall comprise an area without internal frontiers in which the free movement of persons is ensured in accordance with the provisions of the Treaty; whereas this step is also

to be regarded as forming a coherent whole with measures falling within Title VI of the Treaty on European Union;

P 8: Visa Facilitation Agreement Albania.pdf - 8:66 [DESIRING, as a first concrete ..] (1:795-1:1100) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa-free travel regime, to facilitate people-to-people contacts as an important condition for the steady development of economic, humanitarian, cultural, scientific and other ties, by facilitating the issuing of visas to citizens of the Republic of Albania,

P 8: Visa Facilitation Agreement Albania.pdf - 8:67 [RECOGNISING that visa facilitation] (1:1645-1:1774) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P 8: Visa Facilitation Agreement Albania.pdf - 8:72 [(k) for persons politically persecuted] (3:468-3:1082) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(k) for persons politically persecuted during the communist regime in the Republic of Albania:

— the certificate issued by the Institute for the Integration

of the Persecuted Persons in accordance with Article 3 of

Law no 7748 of 29.07.1993, indicating the status of

being a person politically persecuted during the communist regime in the Republic of Albania and a letter of invitation from a competent authority, national or international organisation including NGO of a Member State or by a European institution for participating in activities as appropriate including activities related to their status;

P 9: Visa Facilitation Agreement Armenia.pdf - 9:32 [DESIRING to facilitate people-..] (1:288-1:512) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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,

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:32 [DESIRING to facilitate people ..] (1:267-1:559) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

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 the Union and the Republic of Azerbaijan on a basis of reciprocity

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:34 [RECOGNISING that visa facilita..] (1:1092-1:1240) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:37 [DESIRING, as a first concrete ..] (1:260-1:564) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 nationals of Bosnia and Herzegovina,

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:38 [RECOGNISING that visa facilita..] (1:1086-1:1215) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:16 [WISHING to promote contacts be..] (1:366-1:623) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

WISHING to promote contacts between their peoples as an important factor in ensuring the constant development of economic, humanitarian, cultural, scientific and other ties by facilitating the issue of visas to their citizens on the basis of reciprocity,

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:17 [RECOGNISING that this should n..] (1:1131-1:1253) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

RECOGNISING that this should not encourage illegal immigration and paying special attention to security and readmission,

P13: Visa Facilitation Agreement FYROM.pdf - 13:39 [RECOGNISING the progress made ..] (1:1064-1:1273) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

RECOGNISING the progress made by the former Yugoslav Republic of Macedonia in the area of justice, freedom and security and, in particular, on migration, visa policy, border management and on document security,

P13: Visa Facilitation Agreement FYROM.pdf - 13:40 [DESIRING, as a first concrete ..] (1:1276-1:1598) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 the former Yugoslav Republic of Macedonia,

P13: Visa Facilitation Agreement FYROM.pdf - 13:41 [RECOGNISING that visa facilita..] (1:2174-1:2303) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P14: Visa Facilitation Agreement Georgia.pdf - 14:30 [RECOGNISING that visa facilita..] (1:1318-1:1448) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

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

P14: Visa Facilitation Agreement Georgia.pdf - 14:31 [DESIRING to facilitate people-..] (1:216-1:441) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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,

P15: Visa Facilitation Agreement Moldova.pdf - 15:36 [WITH A VIEW to further develop..] (1:533-1:833) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

WITH A VIEW to further developing friendly relations between the Parties and 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 issuance of visas to Moldovan citizens,

P15: Visa Facilitation Agreement Moldova.pdf - 15:37 [RECOGNISING that visa facilitation..] (1:1526-1:1655) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P16: Visa Facilitation Agreement Moldova amendment.pdf - 16:7 [DESIRING to further facilitate..] (1:474-1:530) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

DESIRING to further facilitate people-to-people contacts,

P17: Visa Facilitation Agreement Montenegro.pdf - 17:40 [RECOGNISING that visa facilitation..] (1:1589-1:1718) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P17: Visa Facilitation Agreement Montenegro.pdf - 17:46 [DESIRING, as a first concrete ..] (1:769-1:1076) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 the Republic of Montenegro,

P18: Visa Facilitation Agreement Russia.pdf - 18:25 [DESIRING to facilitate people-...] (1:295-1:590) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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 the citizens of the European Union and the Russian Federation on the basis of reciprocity,

P18: Visa Facilitation Agreement Russia.pdf - 18:26 [RECOGNISING that this facilita..] (1:1560-1:1689) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

RECOGNISING that this facilitation should not lead to illegal migration and paying special attention to security and readmission,

P19: Visa Facilitation Agreement Serbia.pdf - 19:40 [RECOGNISING that visa facilita..] (1:1655-1:1784) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

RECOGNISING that visa facilitation should not lead to illegal migration and
PAYING SPECIAL ATTENTION to security and readmission,

P19: Visa Facilitation Agreement Serbia.pdf - 19:46 [DESIRING, as a first concrete ..] (1:853-1:1156) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 the Republic of Serbia,

P20: Visa Facilitation Agreement Ukraine.pdf - 20:32 [WITH A VIEW to further develop..] (1:228-1:541) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

WITH A VIEW to further developing friendly relations between the Contracting Parties and 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 Ukrainian citizens,

P20: Visa Facilitation Agreement Ukraine.pdf - 20:35 [RECOGNISING that visa facilitation..] (1:1459-1:1588) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

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

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:20 [(1) Under Article 62(2)(b) of ..] (1:583-1:1121) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(1) Under Article 62(2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (

1

). Article 61 cites those

lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:23 [(2) The determination of those..] (1:1124-1:1555) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(2) The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity.

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:24 [(4) As regards stateless perso..] (1:2045-1:2482) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(4) As regards stateless persons, who have lost any links with any particular State, and recognised refugees, who are unable to avail themselves of the protection of the State of which they have the nationality, the decision as to the visa requirement or exemption should be based on a simple criterion reflecting the fact that the State where these persons reside affords them its protection and issues them with travel documents.

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:2 [The Amsterdam Treaty brought a..] (1:795-1:1354) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?]

No memos

The Amsterdam Treaty brought all the other aspects of visa policy into the Community framework, integrating them into the new Title IV of the EC Treaty (visas, asylum, immigration and other policies related to free movement of persons), the objective of which is to establish an area of freedom, security and justice. At the same time, a Protocol annexed to the Amsterdam Treaty integrated the Schengen acquis in the Union; this extended to the whole range of harmonisation measures regarding visas which the Schengen States have so far introduced.

**P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:9 [To determine whether nationals..] (7:2495-8:2155)
(Super)**

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

To determine whether nationals of a third country are subject to the visa requirement or exempted from it, regard should be had to a set of criteria should that can be grouped under three main headings:

- illegal immigration: the visas rules constitute an essential instrument for controlling migratory flows. Here, reference can be made to a number of relevant sources of statistical information and indicators to assess the risk of illegal migratory flows (such as information and/or statistics on illegal residence, cases of refusal of admission to the territory, expulsion measures, and clandestine immigration and labour networks), to assess the reliability of travel documents issued by the relevant third country and to consider the impact of readmission agreements with those countries;
- public policy: conclusions reached in the police cooperation context among others may highlight specific salient features of certain types of crime. Depending on the seriousness, regularity and territorial extent of the relevant forms of crime, imposing the visa requirement could be a possible response worth considering. Threats to public order may in some cases be so serious as even to jeopardise domestic security in one or more Member States. If the visa requirement was imposed in a show of solidarity by the other Member States, this could again be an appropriate response;
- international relations: the option for or against imposing the visa requirement in respect of a given third country can be a means of underlining the type of relations which the Union is intending to establish or maintain with it. But the Union's relations with a single country in isolation are rarely at stake here. Most commonly it is the relationship with a group of countries, and the option in favour of a given visa regime also has implications in terms of regional coherence. The choice of visa regime can

also reflect the specific position of a Member State in relation to a third country, to which the other Member States adhere in a spirit of solidarity. The reciprocity criterion, applied by States individually and separately in the traditional form of relations under public international law, now has to be used by reason of the constraints of the Union's external relations with third countries.

Given the extreme diversity of situations in third countries and their relations with the European Union and the Member States, the criteria set out here cannot be applied automatically, by means of coefficients fixed in advance. They must be seen as decision-making instruments to be used flexibly and pragmatically, being weighted variably on a case-by-case basis.

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:10 [Article 4 The concept of third..] (5:2686-6:1815) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Article 4

The concept of third-country national within the meaning of Article 62(2)(b)(i) of the EC Treaty also covers categories of persons with special status in international law. These are people who cannot seek the protection of the State of which they have the nationality (recognised refugees) or persons who have lost their connecting factor with a given State (stateless persons).

Regulation (EC) No 574/99 left the Member States free to determine whether or not to impose a visa requirement for these two categories. In the proposed new arrangements, the decision to impose a visa requirement or give exemption from it flows from an objective criterion.

For stateless persons within the meaning of the New York Convention of 28 September 1954 and recognised refugees within the meaning of the Geneva Convention of 28 July 1951, the visa requirement or exemption from it presupposes a specific framework mechanism. For stateless persons, the reference to the rules relating to a specific country is out of the question, as statelessness obviously implies that there is no connecting factor to a particular country. For recognised refugees, reference to the country of origin is likewise inconceivable since the refugee has to all intents and purposes severed his links with his country and cannot seek its protection.

On the other hand, what stateless persons and recognised refugees have in common is that they enjoy the protection of the country where they regularly reside. Article 28 of each of the two Conventions provides that "Contracting States shall issue to

stateless persons [refugees] lawfully staying in their territory travel documents for the purpose of travel outside their territory". It follows that the visa requirement or exemption for stateless persons and refugees could be based on the rules applying to nationals of the State giving its protection to the stateless person or refugee. The proposed mechanism, which would constitute further progress towards harmonisation, has the advantage of being simple. It is also logical: the situation of a stateless person or refugee in relation to the non-member State giving its protection is broadly comparable to the situation of that State's nationals in terms of the obligation to readmit them and of the reliability of their travel documents.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:52 [TERMINED to lay the foundation..] (7:269-7:352) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

TERMINED to lay the foundations of an ever closer union among the peoples of Europe,

P24: Consolidated Treaty on Establishing European Community.pdf - 24:53 [ESOLVED to ensure the economic..] (7:356-7:489) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

ESOLVED to ensure the economic and social progress of their countries by common action to eliminate the barriers which divide Europe,

P24: Consolidated Treaty on Establishing European Community.pdf - 24:54 [S MAJESTY THE KING OF THE BELG..] (7:3-7:1945) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

S MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS (),
DETERMINED to lay the foundations of an ever closer union among the peoples of Europe,
RESOLVED to ensure the economic and social progress of their countries by common action to eliminate the barriers which divide Europe,
AFFIRMING as the essential objective of their efforts the constant improvements of the living and

working conditions of their peoples,
RECOGNISING that the removal of existing obstacles calls for concerted action in order to guarantee steady expansion, balanced trade and fair competition,
ANXIOUS to strengthen the unity of their economies and to ensure their harmonious development by reducing the differences existing between the various regions and the backwardness of the less favoured regions,
DESIRING to contribute, by means of a common commercial policy, to the progressive abolition of restrictions on international trade,
INTENDING to confirm the solidarity which binds Europe and the overseas countries and desiring to ensure the development of their prosperity, in accordance with the principles of the Charter of the United Nations,
RESOLVED by thus pooling their resources to preserve and strengthen peace and liberty, and calling upon the other peoples of Europe who share their ideal to join in their efforts,
DETERMINED to promote the development of the highest possible level of knowledge for their peoples through a wide access to education and through its continuous updating,
HAVE DECIDED to create a EUROPEAN COMMUNITY and to this end have designated as their Plenipotentiaries:
List of plenipotentiaries not reproduced
WHO, having exchanged their full powers, found in good and due form, have agreed as follows.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:55 [he Community shall have as its..] (8:142-8:850) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

he Community shall have as its task, by establishing a common market and an economic and monetary union and by implementing common policies or activities referred to in Articles 3 and 4, to promote throughout the Community a harmonious, balanced and sustainable development of economic activities, a high level of employment and of social protection, equality between men and women, sustainable and non-inflationary growth, a high degree of competitiveness and convergence of economic performance, a high level of protection and improvement of the quality of the environment, the raising of the standard of living and quality of life, and economic and social cohesion and solidarity among Member States.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:56 [1. For the purposes set out in..] (8:864-9:789) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. For the purposes set out in Article 2, the activities of the Community shall include, as provided in this Treaty and in accordance with the timetable set out therein:

(a) the prohibition, as between Member States, of customs duties and quantitative restrictions on the import and export of goods, and of all other measures having equivalent effect;

(b) a common commercial policy;

(c) an internal market characterised by the abolition, as between Member States, of obstacles to the free movement of goods, persons, services and capital;

(d) measures concerning the entry and movement of persons as provided for in Title IV;

(e) a common policy in the sphere of agriculture and fisheries;

(f) a common policy in the sphere of transport;

(g) a system ensuring that competition in the internal market is not distorted;

(h) the approximation of the laws of Member States to the extent required for the functioning of the common market;

(i) the promotion of coordination between employment policies of the Member States with a view to enhancing their effectiveness by developing a coordinated strategy for employment;

(j) a policy in the social sphere comprising a European Social Fund;

(k) the strengthening of economic and social cohesion;

C 325/40 EN Official Journal of the European Communities 24.12.2002(l) a policy in the sphere of the environment;

(m) the strengthening of the competitiveness of Community industry;

(n) the promotion of research and technological development;

(o) encouragement for the establishment and development of trans-European networks;

(p) a contribution to the attainment of a high level of health protection;

(q) a contribution to education and training of quality and to the flowering of the cultures of the Member States;

(r) a policy in the sphere of development cooperation;

(s) the association of the overseas countries and territories in order to increase trade and promote jointly economic and social development;

(t) a contribution to the strengthening of consumer protection;

(u) measures in the spheres of energy, civil protection and tourism

P24: Consolidated Treaty on Establishing European Community.pdf - 24:57 [2. In all the activities refer..] (9:793-9:944) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

2. In all the activities referred to in this Article, the Community shall aim to eliminate inequalities, and to promote equality, between men and women

P24: Consolidated Treaty on Establishing European Community.pdf - 24:58 [. Without prejudice to the oth..] (11:2185-11:2580) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

. Without prejudice to the other provisions of this Treaty and within the limits of the powers conferred by it upon the Community, the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:59 [1. Every citizen of the Union ..] (13:17-13:251) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. Every citizen of the Union shall have the right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in this Treaty and by the measures adopted to give it effect.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:60 [Every citizen of the Union res..] (13:785-13:1336) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Every citizen of the Union residing in a Member State of which he is not a national shall have the right to vote and to stand as a candidate at municipal elections in the Member State in which he resides, under the same conditions as nationals of that State. This right shall be exercised subject to detailed arrangements adopted by the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament; these arrangements may provide for derogations where warranted by problems specific to a Member State.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:61 [It shall entail the right, sub..] (19:1026-19:1148) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

It shall entail the right, subject to limitations justified on grounds of public policy, public security

or public health:

P24: Consolidated Treaty on Establishing European Community.pdf - 24:62 [In order to establish progress..] (25:1775-26:348) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

In order to establish progressively an area of freedom, security and justice, the Council shall adopt:

(a) within a period of five years after the entry into force of the Treaty of Amsterdam, measures aimed at ensuring the free movement of persons in accordance with Article 14, in conjunction with

directly related flanking measures with respect to external border controls, asylum and immigration, in accordance with the provisions of Article 62(2) and (3) and Article 63(1)(a) and

(2)(a), and measures to prevent and combat crime in accordance with the provisions of Article 31(e) of the Treaty on European Union;

(b) other measures in the fields of asylum, immigration and safeguarding the rights of nationals of third countries, in accordance with the provisions of Article 63;

(c) measures in the field of judicial cooperation in civil matters as provided for in Article 65;

24.12.2002 EN Official Journal of the European Communities C 325/57(d) appropriate measures to encourage and strengthen administrative cooperation, as provided for in Article 66;

(e) measures in the field of police and judicial cooperation in criminal matters aimed at a high level of security by preventing and combating crime within the Union in accordance with the provisions of the Treaty on European Union.

P24: Consolidated Treaty on Establishing European Community.pdf - 24:63 [measures on immigration policy..] (27:629-27:972) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

measures on immigration policy within the following areas:

(a) conditions of entry and residence, and standards on procedures for the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunion,

(b) illegal immigration and illegal residence, including repatriation of illegal residents;

P26: Schengen Protocol Page 31-1.pdf - 26:16 [E. The penalties applicable t..] (1:4576-1:4674) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

E. The penalties applicable to carriers and those responsible for organising illegal immigration.

P26: Schengen Protocol Page 31-1.pdf - 26:17 [C. Free movement, for a maximum..] (1:4116-1:4368) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

C. Free movement, for a maximum period of three months, of nationals of third countries within the territory of those States which have decided to abolish checks at their internal borders and expulsion of such persons when their position is illegal.

P26: Schengen Protocol Page 31-1.pdf - 26:18 [F. Protection of personal data..] (2:1-2:93) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

F. Protection of personal data exchanged between the services referred to in points A and B.

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:11 [Article 1 1 Refugees lawfully ..] (2:176-2:1018) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Article 1

1 Refugees lawfully resident in the territory of a Contracting Party shall be exempt, under the terms of this Agreement and subject to reciprocity, from the obligation to obtain visas for entering or leaving the territory of another Party by any frontier, provided that:
a they hold a valid travel document issued in accordance with the Convention on the Status of Refugees of 28th July 1951 or the Agreement relating to the issue of a travel document to refugees of 15th October 1946, by the authorities of the Contracting Party in whose territory they are lawfully resident;
b their visit is of not more than three months' duration.

2 A visa may be required for a stay of longer than three months or for the purpose of taking up

gainful employment in the territory of another Contracting Party

P28: Agreement on the Abolition of Refugee Visa.pdf - 28:12 [Article 7 1 Each Contracting P..] (4:377-4:1118) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Article 7

1 Each Contracting Party reserves the option, for reasons of ordre public, security or public health, to delay the entry into force of this Agreement, or order the temporary suspension thereof in respect of all or some of the other Parties, except in so far as the provisions of Article 5 are concerned. The Secretary General of the Council of Europe shall immediately be informed when any such measure is taken and again when it ceases to be operative.

2 A Contracting Party which avails itself of either of the options provided for in the foregoing paragraph may not claim the application of this Agreement by any other Party save in so far as it also applies it in respect of that Party.

P29: Visa Information System.pdf - 29:9 [Technology can play a key role..] (1:32-1:394) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Technology

can play a key role in improving and reinforcing external borders. Over the past years, the EU has been developing large-scale IT systems for collecting, processing and sharing information relevant to external border management. The Visa Information System, which supports the implementation of the common EU visa policy, is one of these tools.

P29: Visa Information System.pdf - 29:10 [Facilitating checks and the is..] (1:1006-1:2255) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Facilitating checks and the issuance of visas: VIS enables border guards to verify that a person presenting a visa is its rightful holder and to identify persons found on the Schengen territory with no or fraudulent documents. Using biometric data to confirm a visa holder's identity

allows for faster, more accurate and more secure checks. The system also facilitates the visa issuance process, particularly for frequent travellers.

Fighting abuses: While the very large majority of visa holders follow the rules, abuses can also take place. For instance, VIS will help in fighting and preventing fraudulent behaviours, such as "visa shopping" (i.e. the practice of making further visa applications to other EU States when a first application has been rejected).

Protecting travellers: Biometric technology enables the detection of travellers using another person's travel documents and protects travellers from identity theft.

Helping with asylum applications: VIS makes it easier to determine which EU State is responsible for examining an asylum application and to examine such applications.

Enhancing security: VIS assists in preventing, detecting and investigating terrorist offences and other serious criminal offences.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:32 [(8) The progressive creation o..] (1:3604-1:4071) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(8) The progressive creation of an area without internal frontiers in which free movement of persons is guaranteed in accordance with the Treaty establishing the European Community and the establishment of Community policies regarding the conditions of entry and stay of third country nationals, including common efforts towards the management of external borders, makes it necessary to strike a balance between responsibility criteria in a spirit of solidarity.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:33 [(1) A common policy on asylum,..] (1:673-1:965) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(1) A common policy on asylum, including a Common European AsylumSystem, is a constituent part of the European Union's objective of progressively establishing an area of freedom, security and justice open to those who, forced by circumstances, legitimately seek protection in the Community

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:34 [(6) Family unity should be pre..] (1:2945-1:3171) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(6) Family unity should be preserved in so far as this is compatible with the other objectives pursued by establishing criteria and mechanisms for determining the Member State responsible for examining an asylum application.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:35 [(7) The processing together of..] (1:3174-1:3601) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(7) The processing together of the asylum applications of the members of one family by a single Member State makes it possible to ensure that the applications are examined thoroughly and the decisions taken in respect of them are consistent. Member States should be able to derogate from the responsibility criteria, so as to make it possible to bring family members together where this is necessary on humanitarian grounds.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:36 [(15) The Regulation observes t..] (2:1598-2:1870) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(15) The Regulation observes the fundamental rights and principles which are acknowledged in particular in the Charter of Fundamental Rights of the European Union (

3

). In particular, it seeks to ensure full observance of the right to asylum guaranteed by Article 18.

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:37 [(a) 'third-country national' m..] (2:3802-2:4121) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(a) 'third-country national' means anyone who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty establishing the European Community;

(b) 'Geneva Convention' means the Convention of 28 July 1951 relating to the status of refugees, as amended by the New York Protocol of 31 January 1967;

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:38 [(g) 'refugee' means any third-...] (3:542-3:718) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(g) 'refugee' means any third-country national qualifying for the status defined by the Geneva Convention and authorised to reside as such on the territory of a Member State;

P30: Dublin II aka Council Regulation (EC) No 343-2003.pdf - 30:39 [1. Any Member State, even wher..] (5:4589-5:5022) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. Any Member State, even where it is not responsible under the criteria set out in this Regulation, may bring together family members, as well as other dependent relatives, on humanitarian grounds based in particular on family or cultural considerations. In this case that Member State shall, at the request of another Member State, examine the application for asylum of the person concerned. The persons concerned must consent.

P31: Amendment 1 Council Regulation No 453-2003.pdf - 31:16 [(1) Following the European Cou..] (1:549-1:1219) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(1) Following the European Council held in Seville on 21 and 22 June 2002, which considered as a top priority the review of Regulation (EC) No 539/2001 by the end of 2002 (

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, the Commission has evaluated the Member States' replies to the questionnaire it sent them in the light of the relevant criteria for the review of Regulation (EC) No 539/2001, namely illegal immigration, public policy and security, the European Union's external relations with third countries, regional coherence and reciprocity. It has found that Ecuador should be transferred from Annex II to Annex I to Regulation (EC) No 539/2001 in the light of the illegal immigration criterion.

P32: Seville European Council.pdf - 32:39 [26. The European Council is de..] (8:860-8:1225) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

26. The European Council is determined to speed up the implementation of all aspects of the programme adopted in Tampere for the creation of an area of freedom, security and justice in the European Union. The European Council points here to the need to develop a European Union common policy on the separate, but closely related, issues of asylum and immigration

P32: Seville European Council.pdf - 32:40 [37. In parallel with closer co..] (13:174-13:699) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

37. In parallel with closer cooperation in combating illegal immigration, there is a need to press ahead with the examination of proposals under discussion. The European Council urges the Council to adopt:

- by December 2002, the Dublin II Regulation;
- by June 2003, the minimum standards for qualification for refugee status and the content of refugee status and the provisions on family reunification and the status of long-term permanent residents;

· by the end of 2003, the common standards for asylum procedures.

P32: Seville European Council.pdf - 32:42 [28. Measures taken in the shor..] (8:1859-8:2268) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

28. Measures taken in the short and medium term for the joint management of migration flows must strike a fair balance between, on the one hand, a policy for the integration of lawfully resident immigrants and an asylum policy complying with international conventions, principally the 1951 Geneva Convention, and, on the other, resolute action to combat illegal immigration and trafficking in human beings.

P32: Seville European Council.pdf - 32:43 [29. The Union's action in this..] (9:74-9:886) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

29. The Union's action in this area must be based on the following principles:

- the legitimate aspiration to a better life must be reconcilable with the reception capacity of the Union and its Member States and immigration must pass through the legal channels provided for it; the integration of immigrants lawfully present in the Union entails both rights and obligations in relation to the fundamental rights recognised within the Union; combating racism and xenophobia is of essential importance here;
- in accordance with the 1951 Geneva Convention, it is important to afford refugees swift, effective protection, while making arrangements to prevent abuse of the system and ensuring that those whose asylum applications have been rejected are returned to their countries of origin more quickly.

P32: Seville European Council.pdf - 32:45 [33. The European Council consi..] (11:769-11:1880) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

33. The European Council considers that combating illegal immigration requires a greater effort on the part of the European Union and a targeted approach to the problem, with the use of all appropriate instruments in the context of the European Union's external relations. To that end, in accordance with the Tampere European Council conclusions, an integrated, comprehensive and balanced approach to tackling the root causes of illegal immigration must remain the European Union's constant long-term objective. With this in mind, the European Council points out that closer economic cooperation, trade expansion, development assistance and conflict prevention are all means of promoting economic prosperity in the countries concerned and thereby reducing the underlying causes of migration flows. The European Council urges that any future cooperation, association or equivalent agreement which the European Union or the European Community concludes with any country should include a clause on joint management of migration flows and on compulsory readmission in the event of illegal immigration.

P32: Seville European Council.pdf - 32:47 [27. It is crucial for the Euro..] (8:1229-8:1856) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

27. It is crucial for the European Union and its Member States that migration flows should be managed in accordance with the law, in cooperation with the countries of origin and transit of such flows. The European Council therefore welcomes the results achieved over the last six months, in particular the comprehensive plan to combat illegal immigration, the plan for the management of external borders and the Directive laying down minimum standards for the reception of asylum seekers in Member States, and calls on forthcoming Presidencies to continue to give migration issues a special place in their work schedules.

P32: Seville European Council.pdf - 32:48 [30. In the comprehensive plan ..] (9:929-10:706) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

30. In the comprehensive plan to combat illegal immigration, the European Union has equipped itself with an effective means of bringing about the proper management of migration flows and combating illegal immigration. The European Council calls on the Council and the Commission, within their respective spheres of responsibility, to attach top priority to the following measures contained in the plan:

- review, before the end of the year, of the list of third countries whose nationals are

required to have visas or are exempt from that requirement;

- introduction, as soon as possible, of a common identification system for visa data, in the light of a feasibility study to be submitted in March 2003 and on the basis of guidelines from the Council; a preliminary report will be presented before the end of 2002;
- speeding up of the conclusion of readmission agreements currently being negotiated and approval of new briefs for the negotiation of readmission agreements with countries already identified by the Council;

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EN

- as regards expulsion and repatriation policies, adoption by the end of the year of the components of a repatriation programme based on the Commission Green Paper; those components must include the best possible facilities for early return to Afghanistan;
- formal adoption, at the next Justice and Home Affairs Council meeting, of the Framework Decision on combating trafficking in human beings, the Framework Decision on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence and the Directive defining the facilitation of unauthorised entry, transit and residence

P32: Seville European Council.pdf - 32:49 [31. The European Council welco..] (10:794-10:1424) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

31. The European Council welcomes the various recent initiatives in this area and in particular the Commission communication entitled "Towards integrated management of the external borders of the Member States of the European Union", the feasibility study carried out under Italy's leadership concerning the establishment of a European border police force, taking account of the intention expressed by the Commission of continuing to examine the advisability and feasibility of such a police force, and the study concerning police and border security, carried out by three Member States under the OISIN cooperation programme.

P32: Seville European Council.pdf - 32:50 [32. The European Council appla..] (10:1427-10:1903) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

32. The European Council applauds the recent approval of the plan for the management of the external borders of the Member States, based on those three initiatives, which should, inter

alia, help bring greater control of migration flows. It urges the introduction without delay, within the framework of the Council, of the common unit for external-border practitioners, composed of Member States' heads of border control, to coordinate the measures contained in the plan.

P33: Treaty on the Functioning of the European Union.pdf - 33:20 [HIS MAJESTY THE KING OF THE BE..] (3:11-3:1926) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

HIS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS, (

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DETERMINED to lay the foundations of an ever closer union among the peoples of Europe, RESOLVED to ensure the economic and social progress of their States by common action to eliminate the barriers which divide Europe,

AFFIRMING as the essential objective of their efforts the constant improvements of the living and working conditions of their peoples,

RECOGNISING that the removal of existing obstacles calls for concerted action in order to guarantee steady expansion, balanced trade and fair competition,

ANXIOUS to strengthen the unity of their economies and to ensure their harmonious development by reducing the differences existing between the various regions and the backwardness of the less favoured regions,

DESIRING to contribute, by means of a common commercial policy, to the progressive abolition of restrictions on international trade,

INTENDING to confirm the solidarity which binds Europe and the overseas countries and desiring to ensure the development of their prosperity, in accordance with the principles of the Charter of the United Nations,

RESOLVED by thus pooling their resources to preserve and strengthen peace and liberty, and calling upon the other peoples of Europe who share their ideal to join in their efforts,

DETERMINED to promote the development of the highest possible level of knowledge for their peoples through a wide access to education and through its continuous updating,

and to this end HAVE DESIGNATED as their Plenipotentiaries:

(List of plenipotentiaries not reproduced)

WHO, having exchanged their full powers, found in good and due form, have agreed as follows.

P33: Treaty on the Functioning of the European Union.pdf - 33:25 [2. It shall ensure the absence..] (27:1363-27:1706) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

2. It shall ensure the absence of internal border controls for persons and shall frame a common policy on asylum, immigration and external border control, based on solidarity between Member States, which is fair towards third-country nationals. For the purpose of this Title, stateless persons shall be treated as third-country nationals.

P33: Treaty on the Functioning of the European Union.pdf - 33:32 [1. The Union shall share compe..] (5:730-6:135) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. The Union shall share competence with the Member States where the Treaties confer on it a competence which does not relate to the areas referred to in Articles 3 and 6.

2. Shared competence between the Union and the Member States applies in the following principal areas:

- (a) internal market;
- (b) social policy, for the aspects defined in this Treaty;
- (c) economic, social and territorial cohesion;
- (d) agriculture and fisheries, excluding the conservation of marine biological resources;
- (e) environment;
- (f) consumer protection;
- (g) transport;
- (h) trans-European networks;
- (i) energy;
- 26.10.2012 Official EN Journal of the European Union C 326/51(j) area of freedom, security and justice;
- (k) common safety concerns in public health matters, for the aspects defined in this Treaty

P33: Treaty on the Functioning of the European Union.pdf - 33:33 [In all its activities, the Uni..] (7:337-7:455) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between

men and women.

P33: Treaty on the Functioning of the European Union.pdf - 33:34 [In defining and implementing i..] (7:469-7:787) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

In defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health.

P33: Treaty on the Functioning of the European Union.pdf - 33:35 [In defining and implementing i..] (7:802-7:1003) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

In defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

P33: Treaty on the Functioning of the European Union.pdf - 33:36 [Environmental protection requi..] (7:1038-7:1238) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Environmental protection requirements must be integrated into the definition and implementation of the Union's policies and activities, in particular with a view to promoting sustainable development.

P33: Treaty on the Functioning of the European Union.pdf - 33:37 [Article 13 In formulating and ..] (8:168-8:652) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Article 13

In formulating and implementing the Union's agriculture, fisheries, transport, internal market, research and technological development and space policies, the Union and the Member States shall, since animals are sentient beings, pay full regard to the welfare requirements of animals, while respecting the legislative or administrative provisions and customs of the Member States

relating in particular to religious rites, cultural traditions and regional heritage.

P33: Treaty on the Functioning of the European Union.pdf - 33:38 [1. Everyone has the right to t..] (9:984-9:1060) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. Everyone has the right to the protection of personal data concerning them.

P33: Treaty on the Functioning of the European Union.pdf - 33:39 [1. The Union respects and does..] (9:1757-9:2195) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. The Union respects and does not prejudice the status under national law of churches and religious associations or communities in the Member States.
2. The Union equally respects the status under national law of philosophical and non-confessional organisations.
3. Recognising their identity and their specific contribution, the Union shall maintain an open, transparent and regular dialogue with these churches and organisations

P33: Treaty on the Functioning of the European Union.pdf - 33:40 [Within the scope of applicatio..] (10:93-10:440) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Within the scope of application of the Treaties, and without prejudice to any special provisions contained therein, any discrimination on grounds of nationality shall be prohibited.
The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may adopt rules designed to prohibit such discrimination.

P33: Treaty on the Functioning of the European Union.pdf - 33:41 [1. Without prejudice to the ot..] (10:476-10:1332) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. Without prejudice to the other provisions of the Treaties and within the limits of the powers conferred by them upon the Union, the Council, acting unanimously in accordance with a special

legislative procedure and after obtaining the consent of the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

2. By way of derogation from paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may adopt the basic principles of Union incentive measures, excluding any harmonisation of the laws and regulations of the Member States, to support action taken by the Member States in order to contribute to the achievement of the objectives referred to in paragraph 1

P33: Treaty on the Functioning of the European Union.pdf - 33:42 [1. Citizenship of the Union is..] (10:1369-11:647) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. Citizenship of the Union is hereby established. Every person holding the nationality of a Member State shall be a citizen of the Union. Citizenship of the Union shall be additional to and not replace national citizenship.

2. Citizens of the Union shall enjoy the rights and be subject to the duties provided for in the Treaties. They shall have, inter alia:

(a) the right to move and reside freely within the territory of the Member States;

(b) the right to vote and to stand as candidates in elections to the European Parliament and in municipal elections in their Member State of residence, under the same conditions as nationals of that State;

C 326/56 EN Official Journal of the European Union 26.10.2012(c) the right to enjoy, in the territory of a third country in which the Member State of which they are nationals is not represented, the protection of the diplomatic and consular authorities of any Member State on the same conditions as the nationals of that State;

(d) the right to petition the European Parliament, to apply to the European Ombudsman, and to address the institutions and advisory bodies of the Union in any of the Treaty languages and to obtain a reply in the same language.

These rights shall be exercised in accordance with the conditions and limits defined by the Treaties and by the measures adopted thereunder.

P33: Treaty on the Functioning of the European Union.pdf - 33:43 [Article 21 (ex Article 18 TEC)..] (11:650-11:922) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Article 21

(ex Article 18 TEC)

1. Every citizen of the Union shall have the right to move and reside freely within the territory of the Member States, subject to the limitations and conditions laid down in the Treaties and by the measures adopted to give them effect.

P33: Treaty on the Functioning of the European Union.pdf - 33:44 [1. The Union shall constitute ..] (27:1184-27:1360) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. The Union shall constitute an area of freedom, security and justice with respect for fundamental rights and the different legal systems and traditions of the Member States.

P33: Treaty on the Functioning of the European Union.pdf - 33:45 [3. The Union shall endeavour t..] (27:1709-27:2113) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

3. The Union shall endeavour to ensure a high level of security through measures to prevent and combat crime, racism and xenophobia, and through measures for coordination and cooperation between police and judicial authorities and other competent authorities, as well as through the mutual recognition of judgments in criminal matters and, if necessary, through the approximation of criminal laws.

P33: Treaty on the Functioning of the European Union.pdf - 33:46 [1. The Union shall develop a p..] (29:1562-30:857) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. The Union shall develop a policy with a view to:

(a) ensuring the absence of any controls on persons, whatever their nationality, when crossing internal borders;

26.10.2012 Official EN Journal of the European Union C 326/75(b) carrying out checks on persons and efficient monitoring of the crossing of external borders;

(c) the gradual introduction of an integrated management system for external borders.

2. For the purposes of paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures concerning:

(a) the common policy on visas and other short-stay residence permits;

(b) the checks to which persons crossing external borders are subject;

- (c) the conditions under which nationals of third countries shall have the freedom to travel within the Union for a short period;
- (d) any measure necessary for the gradual establishment of an integrated management system for external borders;
- (e) the absence of any controls on persons, whatever their nationality, when crossing internal borders

P33: Treaty on the Functioning of the European Union.pdf - 33:47 [1. The Union shall develop a c..] (31:1030-31:1353) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings

P33: Treaty on the Functioning of the European Union.pdf - 33:48 [1. A high level of human health..] (76:1357-76:2144) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. A high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities.
Union action, which shall complement national policies, shall be directed towards improving public health, preventing physical and mental illness and diseases, and obviating sources of danger to physical and mental health. Such action shall cover the fight against the major health scourges, by promoting research into their causes, their transmission and their prevention, as well as health information and education, and monitoring, early warning of and combating serious cross-border threats to health.
The Union shall complement the Member States' action in reducing drugs-related health damage, including information and prevention.

P33: Treaty on the Functioning of the European Union.pdf - 33:49 [1. Union policy on the environ..] (86:934-86:1332) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. Union policy on the environment shall contribute to pursuit of the following objectives:
 - preserving, protecting and improving the quality of the environment,
 - protecting human health,
 - prudent and rational utilisation of natural resources,
 - promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change.

P34: Treaty on European Union.pdf - 34:16 [HIS MAJESTY THE KING OF THE BE..] (3:11-4:1253) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

HIS MAJESTY THE KING OF THE BELGIANS, HER MAJESTY THE QUEEN OF DENMARK, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF IRELAND, THE PRESIDENT OF THE HELLENIC REPUBLIC, HIS MAJESTY THE KING OF SPAIN, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS, THE PRESIDENT OF THE PORTUGUESE REPUBLIC, HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (

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RESOLVED to mark a new stage in the process of European integration undertaken with the establishment of the European Communities,

DRAWING INSPIRATION from the cultural, religious and humanist inheritance of Europe, from which have developed the universal values of the inviolable and inalienable rights of the human person, freedom, democracy, equality and the rule of law,

RECALLING the historic importance of the ending of the division of the European continent and the need to create firm bases for the construction of the future Europe,

CONFIRMING their attachment to the principles of liberty, democracy and respect for human rights and fundamental freedoms and of the rule of law,

CONFIRMING their attachment to fundamental social rights as defined in the European Social Charter signed at Turin on 18 October 1961 and in the 1989 Community Charter of the Fundamental Social Rights of Workers,

DESIRING to deepen the solidarity between their peoples while respecting their history, their culture and their traditions,

DESIRING to enhance further the democratic and efficient functioning of the institutions so as to enable them better to carry out, within a single institutional framework, the tasks entrusted to them,

RESOLVED to achieve the strengthening and the convergence of their economies and to establish an

economic and monetary union including, in accordance with the provisions of this Treaty and of the Treaty on the Functioning of the European Union, a single and stable currency, DETERMINED to promote economic and social progress for their peoples, taking into account the principle of sustainable development and within the context of the accomplishment of the internal market and of reinforced cohesion and environmental protection, and to implement policies ensuring that advances in economic integration are accompanied by parallel progress in other fields,
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) The Republic of Bulgaria, the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Republic of Poland, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland and the Kingdom of Sweden have since become members of the European Union. RESOLVED to establish a citizenship common to nationals of their countries, RESOLVED to implement a common foreign and security policy including the progressive framing of a common defence policy, which might lead to a common defence in accordance with the provisions of Article 42, thereby reinforcing the European identity and its independence in order to promote peace, security and progress in Europe and in the world, RESOLVED to facilitate the free movement of persons, while ensuring the safety and security of their peoples, by establishing an area of freedom, security and justice, in accordance with the provisions of this Treaty and of the Treaty on the Functioning of the European Union, RESOLVED to continue the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as closely as possible to the citizen in accordance with the principle of subsidiarity, IN VIEW of further steps to be taken in order to advance European integration, HAVE DECIDED to establish a European Union and to this end have designated as their Plenipotentiaries:

(List of plenipotentiaries not reproduced)

WHO, having exchanged their full powers, found in good and due form, have agreed as follows:

P34: Treaty on European Union.pdf - 34:17 [Article 2 The Union is founded..] (5:1-5:387) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Article 2

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.

These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

P34: Treaty on European Union.pdf - 34:18 [5. In its relations with the w..] (5:1753-5:2305) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

5. In its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter.

P35: Schengen Acquis.pdf - 35:3 [Aware that the ever closer uni..] (20:209-20:461) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?]

No memos

Aware that the ever closer union of the peoples of the Member States of the European Communities should find its expression in the freedom to cross internal borders for all nationals of the Member States and in the free movement of goods and services,

P35: Schengen Acquis.pdf - 35:18 [With regard to the movement of..] (24:23-24:546) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

With regard to the movement of persons, the Parties shall endeavour to abolish checks at common borders and transfer them to their external borders. To that end they shall endeavour first to harmonise, where necessary, the laws, regulations and administrative provisions concerning the prohibitions and restrictions on which the

checks are based and to take complementary measures to safeguard internal security and prevent illegal immigration by nationals of States that are not members of the European Communities.

P35: Schengen Acquis.pdf - 35:19 [Alien shall mean any person ot..] (31:751-31:847) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Alien shall mean any person other than a national of a Member State of the European Communities;

P35: Schengen Acquis.pdf - 35:20 [2. However, where public polic..] (33:295-33:777) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

2. However, where public policy or national security so require a contracting party may, after consulting the other contracting parties, decide that for a limited period national border checks appropriate to the situation shall be carried out at internal borders. If public policy or national security require immediate action, the contracting party concerned shall take the necessary measures and at the earliest opportunity shall inform the other contracting parties thereof.

P35: Schengen Acquis.pdf - 35:21 [1. For stays not exceeding thr..] (34:787-34:942) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. For stays not exceeding three months, aliens fulfilling the following conditions may be granted entry into the territories of the contracting parties:

P35: Schengen Acquis.pdf - 35:22 [(e) that the aliens shall not ..] (34:1652-34:1813) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(e) that the aliens shall not be considered to be a threat to public policy, national security or the international relations of any of the contracting parties.

P35: Schengen Acquis.pdf - 35:23 [2. An alien who does not fulfil..] (34:1816-34:2445) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

2. An alien who does not fulfil all the above conditions must be refused entry into the territories of the contracting parties unless a contracting party considers it necessary to derogate from that principle on humanitarian grounds, on grounds of national interest or because of international obligations. In such cases authorisation to enter will be restricted to the territory of the contracting party concerned, which must inform the other contracting parties accordingly. These rules shall not preclude the application of special provisions concerning the right of asylum or of the provisions laid down in Article 18.

P35: Schengen Acquis.pdf - 35:24 [the contracting parties reaffirm..] (42:88-42:478) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

the contracting parties reaffirm their obligations under the Geneva Convention relating to the Status of Refugees of 28 July 1951, as amended by the New York Protocol of 31 January 1967, with no geographic restriction on the scope of those instruments, and their commitment

to cooperating with the United Nations High Commissioner for Refugees in the implementation of those instruments.

P35: Schengen Acquis.pdf - 35:25 [2. For the purposes of paragra..] (44:1699-44:1934) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

2. For the purposes of paragraph 1,a family member shall be the refugee's spouse or unmarried child who is less than 18 years old or,if the refugee is an unmarried child who is less than 18 years old,the refugee's father or mother.

P35: Schengen Acquis.pdf - 35:26 [1. The contracting parties und..] (47:62-47:717) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. The contracting parties undertake to ensure that their police authorities shall, in compliance with national law and within the scope of their powers, assist each other for the purposes of preventing and detecting criminaloffences, insofar as national law does not stipulate that the request has to be made and channelled via the judicial authorities and provided that the request or the implementation thereof does not involve the application of measures of constraint by the requested contracting party. Where the requested police authorities do not have the power to dealwith a request, they shall forward it to the competent authorities

P35: Schengen Acquis.pdf - 35:27 [1. The provisions of this chap..] (55:2024-55:2491) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. The provisions of this chapter are intended to supplement the European Convention on Mutual Assistance in Criminal Matters of 20 April 1959 as well as, in relations between the contracting parties which are members of the Benelux Economic Union, Chapter II of the Benelux Treaty concerning Extradition and Mutual Assistance in Criminal Matters of 27 June 1962, as amended by the protocol of 11 May 1974, and to facilitate the implementation of those agreements.

P35: Schengen Acquis.pdf - 35:28 [1. The contracting parties may..] (73:2089-73:2594) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. The contracting parties may use the data provided for in Articles 95 to 100 only for the purposes laid down for each category of alert referred to in those articles.
2. Data may only be copied for technical purposes, provided that such copying is necessary in order for the authorities referred to in Article 101 to carry out a direct search. Alerts issued by other contracting parties may not be copied from the national section of the Schengen information system into other national data files.

P35: Schengen Acquis.pdf - 35:29 [1. As regards the automatic pr..] (82:24-82:495) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. As regards the automatic processing of personal data communicated pursuant to this convention, each contracting party

shall, no later than the date of entry into force of this convention, adopt the necessary national provisions in order to achieve a level of protection of personal data at least equal to that resulting from the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data of 28 January 1981

P36: Regulation 767-2008.pdf - 36:25 [(1) Building upon the conclusi..] (1:569-1:1000) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(1) Building upon the conclusions of the Council of 20 September 2001, and the conclusions of the European Council in Laeken in December 2001, in Seville in June 2002, in Thessaloniki in June 2003 and in Brussels in March 2004, the establishment of the Visa Information System (VIS) represents one of the key initiatives within the policies of the European Union aimed at establishing an area of freedom, security and justice.

P36: Regulation 767-2008.pdf - 36:26 [(5) The VIS should have the pu..] (1:2339-1:3430) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(5) The VIS should have the purpose of improving the implementation of the common visa policy, consular cooperation and consultation between central visa authorities by facilitating the exchange of data between Member States on applications and on the decisions relating thereto, in order to facilitate the visa application procedure, to prevent 'visa shopping', to facilitate the fight against fraud and to facilitate checks at external border crossing points and within the territory of the Member States. The VIS should also assist in the identification of any person who

may not, or may no longer, fulfil the conditions for entry to, stay or residence on the territory of the Member States, and facilitate the application of Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanism for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national (3), and contribute to the prevention of threats to the internal security of any of the Member States.

P36: Regulation 767-2008.pdf - 36:28 [(12) Any processing of VIS dat..] (2:1192-2:1653) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(12) Any processing of VIS data should be proportionate to the objectives pursued and necessary for the performance of the tasks of the competent authorities. When using the VIS, the competent authorities should ensure that the human dignity and integrity of the persons whose data are requested are respected and should not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation

P36: Regulation 767-2008.pdf - 36:29 [(14) The personal data stored ..] (2:1891-2:2503) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(14) The personal data stored in the VIS should be kept for no longer than is necessary for the purposes of the VIS. It is appropriate to keep the data for a maximum period of five years, in order to enable data on previous applications to be taken into account for the assessment of visa applications, including the applicants' good faith, and for the documentation of illegal immigrants who may, at some stage, have applied for a visa. A shorter period would not be sufficient

for those purposes. The data should be deleted after a period offive years, unless there are grounds to delete them earlier.

P36: Regulation 767-2008.pdf - 36:30 [(24) This Regulation respects ..] (3:670-3:836) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(24) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union.

P36: Regulation 767-2008.pdf - 36:31 [(c) to facilitate the fight ag..] (4:1860-4:1900) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(c) to facilitate the fight against fraud

P36: Regulation 767-2008.pdf - 36:32 [(g) to contribute to the preve..] (4:2259-4:2359) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(g) to contribute to the prevention of threats to the internal security of any of the Member States.

P36: Regulation 767-2008.pdf - 36:33 [Availability of data for the p..] (4:2373-4:2500) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Availability of data for the prevention, detection and investigation of terrorist offences and other serious criminal offences

P36: Regulation 767-2008.pdf - 36:34 [1. For the sole purpose of exa..] (12:1327-12:1557) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. For the sole purpose of examining an application for asylum, the competent asylum authorities shall have access in accordance with Article 21 of Regulation (EC) No 343/2003 to search with the fingerprints of the asylum seeker

P37: Regulation 810-2009.pdf - 37:30 [2. In urgent cases of mass inf..] (5:2014-5:2472) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

2. In urgent cases of mass influx of illegal immigrants, individual Member States may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on their territory. Member States shall notify the Commission of such decisions before their entry into force and of withdrawals of such an airport transit visa requirement.

P37: Regulation 810-2009.pdf - 37:34 [(1) In accordance with Article..] (1:588-1:798) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(1) In accordance with Article 61 of the Treaty, the creation of an area in which persons may move freely should be accompanied by measures with respect to external border controls, asylum and immigration.

P37: Regulation 810-2009.pdf - 37:35 [(3) As regards visa policy, th..] (1:1081-1:1809) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(3) As regards visa policy, the establishment of a 'common corpus' of legislation, particularly via the consolidation and development of the *acquis* (the relevant provisions of the Convention implementing the Schengen Agreement of 14 June 1985 (

2

) and the Common Consular Instructions (

3

), is one of the fundamental components of 'further development of the common visa policy as part of a multi-layer system aimed at facilitating legitimate travel and tackling illegal immigration through further harmonisation of national legislation and handling practices at local consular missions', as defined in the Hague Programme: strengthening freedom, security and justice in the European Union (

4

)

P37: Regulation 810-2009.pdf - 37:36 [(5) It is necessary to set out..] (1:2245-1:2776) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(5) It is necessary to set out rules on the transit through international areas of airports in order to combat illegal immigration. Thus nationals from a common list of third countries should be required to hold airport transit visas. Nevertheless, in urgent cases of mass influx of illegal immigrants, Member States should be allowed to impose such a requirement on nationals of third countries other than those listed in the common list. Member States' individual decisions should be reviewed on an annual basis.

P37: Regulation 810-2009.pdf - 37:37 [(29) This Regulation respects ..] (3:2715-3:2986) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(29) This Regulation respects fundamental rights and observes the principles recognised in particular by the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms and by the Charter of Fundamental Rights of the European Union.

P37: Regulation 810-2009.pdf - 37:38 [1. 'third-country national' me..] (4:4256-4:4388) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. 'third-country national' means any person who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty;

P37: Regulation 810-2009.pdf - 37:39 [1. Without prejudice to Articl..] (15:3261-16:786) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. Without prejudice to Article 25(1), a visa shall be refused:

- (a) if the applicant:
 - (i) presents a travel document which is false, counterfeit or forged;
 - (ii) does not provide justification for the purpose and conditions of the intended stay;
 - (iii) does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;
 - (iv) has already stayed for three months during the current six-month period on the territory of the Member States

on the basis of a uniform visa or a visa with limited territorial validity;

(v) is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;

15.9.2009 Official Journal of the European Union L 243/15 EN(vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds; or

(vii) does not provide proof of holding adequate and valid travel medical insurance, where applicable;

or

(b) if there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for

P37: Regulation 810-2009.pdf - 37:40 [1. In the case of representati..] (20:2418-20:3039) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. In the case of representation arrangements between Member States and cooperation of Member States with an external service provider and recourse to honorary consuls, the represented Member State(s) or the Member State(s) concerned shall ensure that the data are fully encrypted, whether electronically transferred or physically transferred on an electronic storage medium from the authorities of the representing Member State to the authorities of the represented Member State(s) or from the external service provider or from the honorary consul to the authorities of the Member State(s) concerned.

P38: Schengen Border Code.pdf - 38:11 [This Regulation shall apply to..] (5:335-5:653) (Super)

Codes: [Does the text represent or advocate a message?] [How is the text situated in broader society?]

No memos

This Regulation shall apply to any person crossing the internal or external borders of Member States, without prejudice to:

- (a) the rights of persons enjoying the Community right of free movement;
- (b) the rights of refugees and persons requesting international protection, in particular as regards non-refoulement.

P38: Schengen Border Code.pdf - 38:21 [(1) The adoption of measures un..] (1:590-1:919) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(1) The adoption of measures under Article 62(1) of the Treaty with a view to ensuring the absence of any controls on persons crossing internal borders forms part of the Union's objective of establishing an area without internal borders in which the free movement of persons is ensured, as set out in Article 14 of the Treaty.

P38: Schengen Border Code.pdf - 38:23 [(6) Border control is in the i..] (1:2945-1:3343) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(6) Border control is in the interest not only of the Member State at whose external borders it is carried out but of all Member States which have abolished internal border control. Border control should help to combat illegal immigration and trafficking in human beings and to prevent any threat to the Member States' internal security, public policy, public health and international relations.

P38: Schengen Border Code.pdf - 38:24 [(8) Border control comprises n..] (1:3563-1:3979) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(8) Border control comprises not only checks on persons at border crossing points and surveillance between these border crossing points, but also an analysis of the risks for internal security and analysis of the threats that may affect the security of external borders. It is therefore necessary to lay down the conditions, criteria and detailed rules governing checks at border crossing points and surveillance.

P38: Schengen Border Code.pdf - 38:26 [19. 'threat to public health' ..] (5:1-5:314) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

19. 'threat to public health' means any disease with epidemic potential as defined by the International Health Regulations of the World Health Organisation and other infectious diseases or contagious parasitic diseases if they are the subject of protection provisions applying to nationals of the Member States.

P38: Schengen Border Code.pdf - 38:31 [(7) Border checks should be ca..] (1:3346-1:3560) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(7) Border checks should be carried out in such a way as to fully respect human dignity. Border control should be carried out in a professional and respectful manner and be proportionate to the objectives pursued.

P38: Schengen Border Code.pdf - 38:32 [(9) Provision should be made f..] (2:1-2:555) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(9) Provision should be made for relaxing checks at external borders in the event of exceptional and unforeseeable circumstances in order to avoid excessive waiting time at borders crossing-points. The systematic stamping of the

documents of third-country nationals remains an obligation in the event of border checks being relaxed. Stamping makes it possible to establish, with certainty, the date on which, and where, the border was crossed, without establishing in all cases that all required travel document control measures have been carried out.

P38: Schengen Border Code.pdf - 38:33 [(11) Member States should ensu..] (2:1029-2:1262) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(11) Member States should ensure that control procedures at external borders do not constitute a major barrier to trade and social and cultural interchange. To that end, they should deploy appropriate numbers of staff and resources

P38: Schengen Border Code.pdf - 38:34 [6. 'third-country national' mea..] (4:1609-4:1782) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

6. 'third-country national' means any person who is not a Union citizen within the meaning of Article 17(1) of the Treaty and who is not covered by point 5 of this Article;

P38: Schengen Border Code.pdf - 38:35 [(e) they are not considered to..] (5:3370-5:3663) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(e) they are not considered to be a threat to public policy, internal security, public health or the international relations of any of the Member States, in particular where no alert has been issued in Member States' national data bases for the purposes of refusing entry on the same grounds.

P38: Schengen Border Code.pdf - 38:36 [(c) they justify the purpose a..] (5:2928-5:3258) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(c) they justify the purpose and conditions of the intended stay,

and they have sufficient means of subsistence, both for the duration of the intended stay and for the return to their country of origin or transit to a third country into which they are certain to be admitted, or are in a position to acquire such means lawfully

P38: Schengen Border Code.pdf - 38:37 [The assessment of sufficient m..] (6:113-6:541) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

The assessment of sufficient means of subsistence may be based on the cash, travellers' cheques and credit cards in the third-country national's possession. Declarations of sponsorship, where such declarations are provided for by national law and letters of guarantee from hosts, as defined by national law, where the third-country national is staying with a host, may also constitute evidence of sufficient means of subsistence

P38: Schengen Border Code.pdf - 38:38 [(c) third-country nationals wh..] (6:2172-6:2652) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

(c) third-country nationals who do not fulfil one or more of the conditions laid down in paragraph 1 may be authorised by a Member State to enter its territory on humanitarian grounds, on grounds of national interest or because of international obligations. Where the third-country national concerned is the subject of an alert as referred to in paragraph 1(d), the Member State authorising him or her to enter its territory shall inform the other Member States accordingly.

P38: Schengen Border Code.pdf - 38:39 [1. Border guards shall, in the..] (6:2754-6:3161) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. Border guards shall, in the performance of their duties, fully respect human dignity.
Any measures taken in the performance of their duties shall be proportionate to the objectives pursued by such measures.

2. While carrying out border checks, border guards shall not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

P38: Schengen Border Code.pdf - 38:40 [1. A third-country national wh..] (9:4139-9:4551) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. A third-country national who does not fulfil all the entry conditions laid down in Article 5(1) and does not belong to the categories of persons referred to in Article 5(4) shall be refused entry to the territories of the Member States. This shall be without prejudice to the application of special provisions concerning the right of asylum and to international protection or the issue of long-stay visas.

P38: Schengen Border Code.pdf - 38:41 [At the request of the Member St..] (13:1444-13:1733) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

At the request of the Member State concerned, the other Member States, the European Parliament and the Commission shall respect the confidentiality of information supplied in connection with the reintroduction and prolongation of border control and the report drawn up under Article 29.

P39: Handbook Organisation Visa Sections.pdf - 39:7 [Checks should be carried out t..] (16:947-17:158) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

Checks should be carried out to establish whether insurance companies offering travel medical insurance are effectively liable for claims for accidents that have taken place within the Member States, and that the national legislation of the country where the insurance company is based allows for financial transfers to other countries. Mutual insurance agreements with companies based within the territory of the Member States is not necessarily

the solution. In some third countries national legislation forbids such mutual insurance. It is thus important to determine whether local insurance companies are effectively in a position to meet financial obligations in other countries, as this is essential for assisting a potential visa holder within the territory of the Member States. Particular care should be taken to verify whether a local correspondent is indicated in the policy.

It is important to verify the weighting of individual risks, because insurance companies frequently specify in the policy the exact amount covered for each risk. Even if the sum of the different risks amounts to 30000 EUR, the coverage could be misleading. The insurance company might artificially inflate coverage of less expensive risks (administrative expenses, for instance) and, on the contrary, allocate smaller amounts to risks that are likely to be more expensive (hospital treatment and repatriation, for instance). Such policies must be considered to be inadequate.

Consulates should be aware that insurance policies often contain references to significant exclusions or limitations in relation to activities, medical conditions etc., which limit the coverage offered or exclude it entirely. Such policies should also be considered to be inadequate. Adequate warnings should be published on the websites and bulletin boards of consulates, and at the premises of external service providers and honorary consuls.

Travel medical insurance shall cover any expenses which might arise in connection with repatriation for medical reasons, urgent medical attention and/or emergency hospital treatment EN 16 EN or death, only for the duration of the applicant's stay(s) on the territory of the Member States and not throughout the validity of the visa.

P39: Handbook Organisation Visa Sections.pdf - 39:8 [It should be verified that the..] (17:423-17:1019) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

It should be verified that the applicant's insurance actually covers on-the-spot assistance (medical expenses and repatriation etc.), which should be distinguished from reimbursement of expenses made only when the applicant has returned. If the insurance only covers a posteriori reimbursement, this could call into question the objective of the requirement, which is to save Member States from having to use public funds to cover the expenses of medical treatment etc. for visa holders. Moreover, such products give visa applicants a false impression of being adequately protected.

P39: Handbook Organisation Visa Sections.pdf - 39:9 [3. Assessment of migratory and..] (17:1723-17:1955) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

3. Assessment of migratory and/or security risks based on exchange of information

on:

- use of false, counterfeit or forged documents;
- illegal immigration routes;
- refusals/refusal rates (linked to exchange of statistics).

P40: Handbook Processing Visa Application.pdf - 40:5 [1.1.2. For which categories of..] (15:1997-16:2210) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

1.1.2. For which categories of persons are there national derogations from the visa requirement?

According to Regulation (EC) No 539/2001, Member States may individually exempt certain categories of nationals of the third countries normally subject to visa requirements:

- holders of diplomatic, service/official and special passports;
- civilian air and sea crew members in the performance of their duties;

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OJ L 405, 30.12.2006 and OJ L 29, 3.2.2007 EN 15Error! Unknown document property name. EN

- civilian sea crew members, when they go ashore, who hold a seafarer's identity document issued in accordance with the International Labour Organisation Conventions No 108 of 13 May 1958 or No 185 of 16 June or the International Maritime Organisation Convention on Facilitation of International Maritime Traffic of 9 April 1965;
- crew and members of emergency or rescue missions in the event of a disaster or accident;
- civilian sea crew members navigating in international inland waters;
- holders of travel documents issued by intergovernmental international organisations of which at least one Member State is member, or by entities recognised by the Member State concerned as subjects of international law, to officials of those organisations or entities;
- members of the armed forces travelling on NATO or Partnership for Peace business;
- holders of identification and movement orders provided for by the Agreement of 19 June 1951 between the parties to the NATO regarding the status of their forces;
- school pupils who are nationals of a third country whose nationals are subject to visa

requirements who reside in a third country whose nationals are not subject to visa requirements and travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question;

- recognised refugees and stateless persons residing in and holding a travel document issued by a third country whose nationals are not subject to visa requirements;
- without prejudice to the requirements stemming from the European Agreement on the Abolition of Visas for Refugees signed at Strasbourg on 20 April 1959, recognised refugees and stateless persons and other persons who do not hold the nationality of any country who reside in the United Kingdom or in Ireland and are holders of a travel document issued by the United Kingdom or Ireland, which is recognised by the Member State concerned.

Information on all such exemptions (point 1.1.2) is published in Information pursuant to Council Regulation (EC) No 539/2001, see Annex 5.

P40: Handbook Processing Visa Application.pdf - 40:7 [6.3.1. Who is exempt from pres..] (51:51-51:1093) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

6.3.1. Who is exempt from presenting proof of travel medical insurance?

Holders of diplomatic passports do not have to present proof of travel medical insurance.

Family members of EU and Swiss citizens are exempted from the requirement to produce travel medical insurance. This exemption is in line with the exemption of this category of persons from filling in field no. 33 of the application form.

The insurance requirement may be considered to have been met where it is established that an adequate level of medical insurance may be presumed in the light of the applicant's professional situation. The exemption from presenting proof of travel medical insurance may concern particular professional groups, such as seafarers, who are already covered by travel medical insurance as a result of their professional activities.

Persons applying for an airport transit visa are not required to present proof of travel medical insurance, as holders of such visa are not allowed to enter into the territory of Member States.

P40: Handbook Processing Visa Application.pdf - 40:8 [6.3.2. What is an adequate tra..] (51:1097-51:2258) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

6.3.2. What is an adequate travel medical insurance?

The insurance shall be valid throughout the territory of the Member States and cover the entire period of the applicant's intended stay or transit within the validity of the visa, i.e. the insurance shall only cover the period of effective stay, and not the validity of the visa.

The minimum coverage shall be EUR 30 000.

Certain credit card companies include travel insurance as one of the advantages of the credit card. If the coverage offered is in conformity with the criteria in the Visa Code, such credit cards may be accepted as valid insurance.

If the insurance presented is not considered adequate, this should not automatically lead to refusal of the visa application, but the applicant should be allowed to provide such proof before the final decision on the application can be taken.

Within local Schengen cooperation, information on insurance companies offering adequate travel medical insurance, including verification of the type of coverage, should be shared, see Handbook for the organisation of visa sections and local Schengen cooperation, Part II, point 2.3.

P40: Handbook Processing Visa Application.pdf - 40:9 [7.1. Basic principles Once the..] (52:128-52:1028) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.1. Basic principles

Once the consulate has established that it is competent for dealing with a visa application (see chapter 2), that the application is admissible (see point 4.5), and the travel document has been stamped (see point 4.5.2), the VIS should be consulted and the application file should be created in the VIS, when applicable, and the visa application shall be examined to:

- ascertain whether the applicant fulfils the entry conditions,
- assess the risk of illegal immigration and the applicant's intention to leave the territory of the Member States before the expiry of the visa applied for, and
- assess whether the applicant presents a risk to the security or public health of the Member States.

The depth of the examination depends on the risk presented by the applicant according to his nationality, local circumstances, his profile and personal history.

P40: Handbook Processing Visa Application.pdf - 40:10 [7.3. The authenticity and reli..] (53:455-53:1105) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.3. The authenticity and reliability of documents and statements

When examining the application, the consulate must take into account authenticity and reliability of the documents presented and of the applicant's statements, whether verbal or in writing. The level of reliability of documents depends on the local conditions and may therefore vary from one country to another and from one type of document to another. Within local Schengen cooperation consulates should share information and establish best practices. When the applicant's verbal or written statements lack coherence or appear suspicious, they should be double-checked.

P40: Handbook Processing Visa Application.pdf - 40:11 [7.5. The purpose of the intend..] (54:1659-55:1389) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.5. The purpose of the intended stay

The consulate shall verify the purpose and the legality of the intended stay and the applicant's justification of the purpose of the intended stay and its legality. A large number of invitations from the same host/referee could indicate that the purpose of travel is illegal immigration and/or employment.

The consulate shall obtain as ample information from the applicant upon submission of the application as possible in addition to the supporting documents in order to verify the purpose of the journey.

Therefore, the consulate must in particular check:

- whether the travel document contains a stamp indicating that the holder has previously lodged an application that has been considered admissible at a consulate of another Member State but no visa was issued : in such cases the consulate who has affixed the stamp should be contacted and the reasons for the non-issuance clarified;EN 54Error! Unknown document property name. EN
- whether the purpose corresponds to a stay not exceeding 90 days: if the supporting documents show that the intended stay would exceed 90 days per period of 180 days, the visa applied for should be refused and the possibility of issuing a national long stay visa or a residence permit may be examined in accordance with national law, where applicable;
- whether the declared purpose is coherent and credible and the supporting documents

correspond to the stated purpose:

Examples of incoherence between declared purpose of stay and factual information provided:

- an applicant claims to travel to an industrial area, staying in a cheap hotel, for the purpose of tourism;
- an applicant claims to visit a professional event at dates that do not correspond to the actual dates of the event;
- an applicant claims that the purpose of the trip is to visit a friend, but it turns out that the person concerned is absent during that period;
- a trader in jewellery claims to have been invited to attend a medical conference.

Example: A third country-national indicates that the purpose of his trip is to participate in a congress; he presents an invitation but no documentation showing that he holds a profession or a qualification related to the subject of the congress.

The stated purpose is not credible.

P40: Handbook Processing Visa Application.pdf - 40:12 [- whether the purpose of travel..] (55:1392-55:2492) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

- whether the purpose of travel is justified: an application for a visa for medical treatment where local treatment is available may hide an intention to abuse social welfare in the Member State. However that may not always be the case: the applicant may wish to receive medical treatment where other family members reside; or wish to be treated by a doctor who has treated him previously;
- whether the purpose of travel follows a pattern for illegal employment or immigration: individual applicants coming from the same region and always booking at the same hotel could be suspicious;
- whether the purpose is against the national interest of all Member States or of a specific Member State for reasons of security, public order or external relations. Consulates should be aware that a journey may have several different purposes within the same Member State or in the territories of several Member States, e.g.:
 - business meeting followed by a weekend of tourism;
 - paid activity combined with private visit to friends;
 - training followed by a religious pilgrimage.

P40: Handbook Processing Visa Application.pdf - 40:13 [7.6. The conditions of the int..] (56:51-56:659) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.6. The conditions of the intended stay

The consulate shall verify the applicant's justification for the conditions of the intended stay:

- accommodation during the stay;
- the possession of sufficient means of subsistence, both for the duration of the intended stay and for the return to the applicant's country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is in a position to acquire such means lawfully. In order to assess the means of subsistence, the reference amounts set by individual Member States must be taken into account;

P40: Handbook Processing Visa Application.pdf - 40:14 [7.6.2. How to estimate the suf..] (56:1491-57:1406) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.6.2. How to estimate the sufficient means of subsistence for the stay

The consulate should estimate both the amount of sufficient financial means necessary for the stay and the reliability of the financial resources presented. The consulate should always assess the reliability of the means of subsistence presented, according to the local context.

The consulate should roughly estimate the amount necessary on the basis of:

- the length of the intended stay;
- the purpose of the intended journey;
- the cost of living as notified by Member States in accordance with Annex 18. The consulate should accept as sufficient financial resources below that estimate if the applicant benefits from financial support or free services (or at a reduced price) during the period spent within the territory of the Member States;
- proof of sponsorship and/or private accommodation;
- a reliable and credible certificate confirming financial support of a legal resident within the territory of the Member States ;
- a prepaid receipt from a reliable travel agency.

If the applicant presents a work permit issued by a Member State, he might be exempted from presenting additional proof of financial means as it can be assumed that his salary can cover the cost of the short stay. EN 56Error! Unknown document property name. EN

The consulate should request sufficient financial resources above that estimate when the

purpose of travel is:

- luxury tourism;
- medical treatment in order to cover the cost of such treatment calculated on the basis of a realistic estimate made by the host medical entity, unless such cost is covered by a reliable entity that can be verified by an accredited doctor;
- study in order to cover the cost of the school fees, unless covered by a reliable sponsorship or proof that such costs have been prepaid.

If the applicant covers the expense of the journey himself, he should present proof of possessing personally the required resources, e.g. by salary slips, bank statements. The consulates may check the reliability and stability of the amounts credited to a bank statement in case of doubt.

If accommodation is provided free of charge to the applicant, the estimate of the necessary financial resources may be reduced accordingly, if the commitment to provide such free accommodation is reliable.

In case of an all-included invitation or total or partial sponsorship by a private company, any other legal entity or a private person, the consulate should adapt the level of the required resources and check the reliability of the commitment according to the nature of the relationship (commercial, private, etc.).

P40: Handbook Processing Visa Application.pdf - 40:15 [7.7. The security risk and the..] (57:1410-58:805) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.7. The security risk and the public health risk

The consulate shall verify whether the applicant is a person for whom an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry and that the applicant is not considered to be a threat to public policy, internal security or public health or to the international relations of any of the Member States, in particular where no alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds) and the outcome of these checks/consultations must to be taken into account.

To check the security risk, the consulate shall:

- consult the SIS to check whether the visa applicant has been subject to an alert. In case of a “hit”, it shall analyse the results of the SIS consultation to avoid false identification resulting from identical names;
- launch the prior consultation of other Member States, if applicable;

– consult national database in accordance with its national legislation;
The consultation of SIS and the prior consultation of other Member States shall not be carried out when the applicant applies for an airport transit visa.
The consulate may also request an applicant's criminal record in case of strong suspicion regarding the applicant. EN 57Error! Unknown document property name. EN
Regarding public health risks, consulates may refuse visas in case of disease constituting a public health risk as defined by the International Health Regulations (IHR) of the World Health Organisation (WHO) and other infectious diseases or contagious parasitic diseases if they are subject of protection provisions applying to nationals of Member States. In such circumstances, consulates shall receive instructions from their central authorities. "Public health risk" is assessed through the Community Network set up under Decision 2119/98/EC and its Early Warning and Response System (EWRS) and the ECDC, set up by Regulation (EC) No 851/2004 establishing a European centre for disease prevention and control. (See also: ecdc.europa.eu)

P40: Handbook Processing Visa Application.pdf - 40:16 [7.8. Travel Medical Insurance ..] (58:809-58:1659) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

7.8. Travel Medical Insurance (TMI)

The consulate shall check whether the TMI presented by the applicant is adequate, i.e. coverage during his intended stay, in case of an application for a single or double-entry visa, or for the first intended stay in case of an application for a multiple-entry visa, before the final decision is taken on the application.

If it is assumed that an adequate level of medical insurance has been demonstrated through other means, e.g. due to the applicant's professional situation, the reliability of the coverage should be verified.

If the length of the intended stay applied for exceeds the validity of the TMI, the consulate shall either limit the length of stay granted to the period covered by the TMI or invite the applicant to acquire a TMI that covers the entire period of the intended stay.

P40: Handbook Processing Visa Application.pdf - 40:17 [7.9. Verification of the lengt..] (58:1664-58:2184) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]
No memos

7.9. Verification of the length of previous and intended stays

The consulate shall check the length of previous and intended stays in order to verify that the applicant has not exceeded/will not exceed the maximum duration of authorised stay in the territory of the Member States, irrespective of possible stays authorised under a national longstay visa or a residence permit issued by another Member State, i.e. only stays covered by a uniform visa or a visa with limited territorial validity should be counted..

P40: Handbook Processing Visa Application.pdf - 40:18 [7.12. The assessment of the ri..] (62:51-63:393) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

7.12. The assessment of the risk of illegal immigration and of the applicant's intention to leave the territory of the Member States before the expiry of the visa

Consulates shall assess:

- the risk of illegal immigration by the applicant to the territory of Member States (i.e. the applicant using travel purposes such as tourism, business, study or family visits as a pretext for permanent illegal settlement in the territory of the Member States) and
- whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for .

Within local Schengen cooperation, consulates should define "profiles" of applicants presenting a specific risk, according to local conditions and circumstances which also takes account of the general situation in the country of residence (e.g. politically unstable areas, high level of unemployment and wide-spread poverty). Profiles could be based on the stability of the applicant's socio-economic situation, but each individual application shall be assessed on its own merits irrespective of possible "profiles" having been drawn up.

The individual level of stability depends on a number of factors:

- family links or other personal ties in the country of residence;
- family links or other personal ties in the Member States;
- marital status;
- employment situation (salary level, if employed);
- regularity of income (employment, self-employment, pension, revenue from investment, etc.) of the applicant or of his/her spouse, children or dependants;
- the level of income;

- the social status in the country of residence (e.g. elected to public office, NGO representative; profession with a high social status: lawyer, medical doctor, university professor);
- the possession of a house/real estate.

The factors may differ depending on the applicant's country of residence:

Example: a third-country national subject to the visa obligation and legally residing in another third country whose nationals are exempted from the visa requirement (an Indian national residing in Canada or a Chinese national residing in the United States) normally presents a very limited risk of illegal immigration to the Member States.

The socio-economic situation may also present diverging aspects: an unemployed applicant may benefit from a very stable financial situation and a well-paid applicant might consider illegal immigration for personal reasons and all elements should be taken into consideration to ensure an objective assessment. EN 62Error! Unknown document property name. EN

Other aspects to be verified:

- previous illegal stays in the Member States;
- previous abuse of social welfare in the Member States;
- a succession of different visa applications (short stay or long stay visas) presented for different unrelated purposes;
- credibility of the inviting person when the invitation letter is presented.

P40: Handbook Processing Visa Application.pdf - 40:19 [Fundamental rights enshrined i..] (9:1531-9:2109) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Fundamental rights enshrined in the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union must be guaranteed to any person applying for a visa. The processing of visa applications should be conducted in a professional and respectful manner and fully comply with the prohibition of inhuman and degrading treatments and the prohibition of discrimination enshrined, respectively, in Articles 3 and 14 of the European Convention on Human Rights and in Articles 4 and 21 of the Charter of Fundamental Rights of the European Union.

P40: Handbook Processing Visa Application.pdf - 40:20 [In particular, consular staff ..] (9:2113-9:2482) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

In particular, consular staff must, in the performance of their duties, fully respect human dignity and must not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. Any measures taken in the performance of their duties must be proportionate to the objectives pursued by such measures.

P40: Handbook Processing Visa Application.pdf - 40:21 [Consular staff should seek to ..] (9:2487-9:3162) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Consular staff should seek to strike a balance between the need, on the one hand, always to be vigilant in order to detect persons posing a risk to public policy and internal security as well as potential illegal immigrants, and the need, on the other hand, to ensure the smooth handling of visa applications submitted by persons who fulfil the entry conditions. It is impossible in a Handbook to set up operational instructions providing clear guidance in each and every individual case that might occur. In such cases where no clear guidance is given, consular staff shall process visa applications in full compliance with the spirit of the common visa policy.

P40: Handbook Processing Visa Application.pdf - 40:22 [However, taking into account t..] (23:2250-23:2708) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

However, taking into account that this provision is covered in the article concerning the "Member State competent for examining and deciding on an application", a Member State may, in the absence of the normally competent Member State, agree to examine such applications in individual, exceptional circumstances and take a decision on it

- for humanitarian reasons, and
- after having obtained the agreement of the normally responsible Member State.

P40: Handbook Processing Visa Application.pdf - 40:23 [4.4.3.2. Waiving or reduction ..] (36:51-36:471) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

4.4.3.2. Waiving or reduction of the visa fee in individual cases

Legal basis: Visa Code, Article 16 (6)

Member States may decide to waive or reduce the visa fee in individual cases on the basis of particular interests in order to promote cultural or sporting interests as well as interests in the field of foreign policy, development policy and other areas of vital public interest or for humanitarian reasons.

P40: Handbook Processing Visa Application.pdf - 40:24 [12.1. On which grounds should ..] (79:770-79:2658) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

12.1. On which grounds should a visa be refused?

As a general rule, a uniform visa shall be refused when the examination of the application leads to one or more of the following conclusions:

- a) the applicant has presented a travel document which is false, counterfeit or forged;
- b) the applicant does not provide justification for the purpose and conditions of the intended stay;
- c) the applicant does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;
- d) the applicant has already stayed for 90 days during the current 180-day period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity;
- e) the applicant is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;
- f) the applicant is considered to be a threat to public policy, internal security or public health or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds;
- g) does not provide proof of holding adequate and valid travel medical insurance, where applicable;
- h) there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.

Particular rules in relation to grounds for refusal of a visa currently apply to family members of EU and Swiss citizens, see Part III.

P42: Charter of Human Rights.pdf - 42:23 [The peoples of Europe, in crea..] (8:11-8:2070) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

The peoples of Europe, in creating an ever closer union among them, are resolved to share a peaceful future based on common values.

Conscious of its spiritual and moral heritage, the Union is founded on the indivisible, universal values of human dignity, freedom, equality and solidarity; it is based on the principles of democracy and the rule of law. It places the individual at the heart of its activities, by establishing the citizenship of the Union and by creating an area of freedom, security and justice.

The Union contributes to the preservation and to the development of these common values while respecting the diversity of the cultures and traditions of the peoples of Europe as well as the national identities of the Member States and the organisation of their public authorities at national, regional and local levels; it seeks to promote balanced and sustainable development and ensures free movement of persons, goods, services and capital, and the freedom of establishment.

To this end, it is necessary to strengthen the protection of fundamental rights in the light of changes in society, social progress and scientific and technological developments by making those rights more visible in a Charter.

This Charter reaffirms, with due regard for the powers and tasks of the Community and the Union and the principle of subsidiarity, the rights as they result, in particular, from the constitutional traditions and international obligations common to the Member States, the Treaty on European Union, the Community Treaties, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Social Charters adopted by the Community and by the Council of Europe and the case-law of the Court of Justice of the European Communities and of the European Court of Human Rights.

Enjoyment of these rights entails responsibilities and duties with regard to other persons, to the human community and to future generations.

The Union therefore recognises the rights, freedoms and principles set out hereafter.

P42: Charter of Human Rights.pdf - 42:24 [CHAPTER I DIGNITY Article 1 Hu..] (9:1-9:1213) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

CHAPTER I

DIGNITY

Article 1

Human dignity

Human dignity is inviolable. It must be respected and protected.

Article 2

Right to life

1. Everyone has the right to life.
2. No one shall be condemned to the death penalty, or executed.

Article 3

Right to the integrity of the person

1. Everyone has the right to respect for his or her physical and mental integrity.
2. In the fields of medicine and biology, the following must be respected in particular:
 - the free and informed consent of the person concerned, according to the procedures laid down by law,
 - the prohibition of eugenic practices, in particular those aiming at the selection of persons,
 - the prohibition on making the human body and its parts as such a source of financial gain,
 - the prohibition of the reproductive cloning of human beings.

Article 4

Prohibition of torture and inhuman or degrading treatment or punishment

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

Article 5

Prohibition of slavery and forced labour

1. No one shall be held in slavery or servitude.
2. No one shall be required to perform forced or compulsory labour.
3. Trafficking in human beings is prohibited.

P42: Charter of Human Rights.pdf - 42:25 [CHARTER OF FUNDAMENTAL RIGHTS ..] (1:1-22:387) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

CHARTER OF FUNDAMENTAL RIGHTS

OF THE EUROPEAN UNION

(2000/C 364/01)

18.12.2000 Official Journal of the European Communities C 364/1 EN

P43: Convention on Human Rights.pdf - 43:9 [THE GOVERNMENTS SIGNATORY HERE..] (4:97-4:1343) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?]

No memos

THE GOVERNMENTS SIGNATORY HERETO, being members of
the Council of Europe,
Considering the Universal Declaration of Human Rights
proclaimed by the General Assembly of the United Nations on
10th December 1948;
Considering that this Declaration aims at securing the universal
and effective recognition and observance of the Rights therein
declared;
Considering that the aim of the Council of Europe is the
achievement of greater unity between its members and that one of
the methods by which that aim is to be pursued is the maintenance
and further realisation of human rights and fundamental freedoms;
Reaffirming their profound belief in those fundamental freedoms
which are the foundation of justice and peace in the world and
are best maintained on the one hand by an effective political
democracy and on the other by a common understanding and
observance of the human rights upon which they depend;
Being resolved, as the governments of European countries
which are like-minded and have a common heritage of political
traditions, ideals, freedom and the rule of law, to take the first
steps for the collective enforcement of certain of the rights stated
in the Universal Declaration,
Have agreed as follows:

P43: Convention on Human Rights.pdf - 43:10 [European Convention on Human R..] (1:1-30:192) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

European Convention
on Human RightsEuropean
Convention
on Human
Rights
as amended by Protocoles Nos. 11
and 14,

supplemented by Protocols Nos. 1, 4,
6, 7, 12 and 133

The text of the Convention is presented as amended by the provisions of Protocol No. 14 (CETS no. 194) as from its entry into force on 1 June 2010. The text of the Convention had previously been amended according to the provisions of Protocol No. 3 (ETS no. 45), which entered into force on 21 September 1970, of Protocol No. 5 (ETS no. 55), which entered into force on 20 December 1971, and of Protocol No. 8 (ETS no. 118), which entered into force on 1 January 1990, and comprised also the text of Protocol No. 2 (ETS no. 44) which, in accordance with Article 5 § 3 thereof, had been an integral part of the Convention since its entry into force on 21 September 1970. All provisions which had been amended or added by these Protocols were replaced by Protocol No. 11 (ETS no. 155), as from the date of its entry into force on 1 November 1998. As from that date, Protocol No. 9 (ETS no. 140), which entered into force on 1 October 1994, was repealed and Protocol No. 10 (ETS no. 146) lost its purpose.

The current state of signatures and ratifications of the Convention and its Protocols as well as the complete list of declarations and reservations are available at www.conventions.coe.int.

Only the English and French versions of the Convention are authentic.

European Court of Human Rights

Council of Europe

F-67075 Strasbourg cedex

www.echr.coe.int

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of Human Rights
and Fundamental Freedoms

Rome, 4.XI.1950

THE GOVERNMENTS SIGNATORY HERETO, being members of
the Council of Europe,

Considering the Universal Declaration of Human Rights
proclaimed by the General Assembly of the United Nations on
10th December 1948;

Considering that this Declaration aims at securing the universal
and effective recognition and observance of the Rights therein
declared;

Considering that the aim of the Council of Europe is the
achievement of greater unity between its members and that one of
the methods by which that aim is to be pursued is the maintenance
and further realisation of human rights and fundamental freedoms;

Reaffirming their profound belief in those fundamental freedoms
which are the foundation of justice and peace in the world and
are best maintained on the one hand by an effective political
democracy and on the other by a common understanding and
observance of the human rights upon which they depend;

Being resolved, as the governments of European countries
which are like-minded and have a common heritage of political
traditions, ideals, freedom and the rule of law, to take the first
steps for the collective enforcement of certain of the rights stated
in the Universal Declaration,

Have agreed as follows:6 7

ARTICLE 1

Obligation to respect human rights

The High Contracting Parties shall secure to everyone within their
jurisdiction the rights and freedoms defined in Section I of this
Convention.

SECTION I

RIGHTS AND FREEDOMS

ARTICLE 2

Right to life

1. Everyone's right to life shall be protected by law. No one
shall be deprived of his life intentionally save in the execution of

a sentence of a court following his conviction of a crime for which this penalty is provided by law.

2. Deprivation of life shall not be regarded as inflicted in contravention of this Article when it results from the use of force which is no more than absolutely necessary:

- (a) in defence of any person from unlawful violence;
- (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
- (c) in action lawfully taken for the purpose of quelling a riot or insurrection.

ARTICLE 3

Prohibition of torture

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

ARTICLE 4

Prohibition of slavery and forced labour

1. No one shall be held in slavery or servitude.

2. No one shall be required to perform forced or compulsory labour.

3. For the purpose of this Article the term "forced or compulsory labour" shall not include:

- (a) any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;
- (b) any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service;
- (c) any service exacted in case of an emergency or calamity threatening the life or well-being of the community;
- (d) any work or service which forms part of normal civic obligations.

ARTICLE 5

Right to liberty and security

1. Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and

in accordance with a procedure prescribed by law:

(a) the lawful detention of a person after conviction by a competent court;

(b) the lawful arrest or detention of a person for non-compliance with the lawful order of a court or in order to secure the fulfilment of any obligation prescribed by law;^{8 9}

(c) the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;

(d) the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority;

(e) the lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;

(f) the lawful arrest or detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.

2. Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him.

3. Everyone arrested or detained in accordance with the provisions of paragraph 1 (c) of this Article shall be brought promptly before a judge or other officer authorised by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.

4. Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful.

5. Everyone who has been the victim of arrest or detention

in contravention of the provisions of this Article shall have an enforceable right to compensation.

ARTICLE 6

Right to a fair trial

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.

3. Everyone charged with a criminal offence has the following minimum rights:

- (a) to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
- (b) to have adequate time and facilities for the preparation of his defence;
- (c) to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;
- (d) to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
- (e) to have the free assistance of an interpreter if he cannot understand or speak the language used in court.^{10 11}

ARTICLE 7

No punishment without law

1. No one shall be held guilty of any criminal offence on

account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed.

2. This Article shall not prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognised by civilised nations.

ARTICLE 8

Right to respect for private and family life

1. Everyone has the right to respect for his private and family life, his home and his correspondence.

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 9

Freedom of thought, conscience and religion

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 10

Freedom of expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority

and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

ARTICLE 11

Freedom of assembly and association

1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.^{12 13}

2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.

ARTICLE 12

Right to marry

Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right.

ARTICLE 13

Right to an effective remedy

Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity.

ARTICLE 14

Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

ARTICLE 15

Derogation in time of emergency

1. In time of war or other public emergency threatening the life of the nation any High Contracting Party may take measures derogating from its obligations under this Convention to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with its other obligations under international law.

2. No derogation from Article 2, except in respect of deaths resulting from lawful acts of war, or from Articles 3, 4 (paragraph 1) and 7 shall be made under this provision.

3. Any High Contracting Party availing itself of this right of derogation shall keep the Secretary General of the Council of Europe fully informed of the measures which it has taken and the reasons therefor. It shall also inform the Secretary General of the Council of Europe when such measures have ceased to operate and the provisions of the Convention are again being fully executed.

ARTICLE 16

Restrictions on political activity of aliens

Nothing in Articles 10, 11 and 14 shall be regarded as preventing the High Contracting Parties from imposing restrictions on the political activity of aliens.

ARTICLE 17

Prohibition of abuse of rights

Nothing in this Convention may be interpreted as implying for any State, group or person any right to engage in any activity or perform any act aimed at the destruction of any of the rights and freedoms set forth herein or at their limitation to a greater extent than is provided for in the Convention.

ARTICLE 18

Limitation on use of restrictions on rights

The restrictions permitted under this Convention to the said rights and freedoms shall not be applied for any purpose other than those for which they have been prescribed.

SECTION II

EUROPEAN COURT OF HUMAN RIGHTS

ARTICLE 19

Establishment of the Court

To ensure the observance of the engagements undertaken by the High Contracting Parties in the Convention and the Protocols thereto, there shall be set up a European Court of Human Rights, hereinafter referred to as "the Court". It shall function on a permanent basis.

ARTICLE 20

Number of judges

The Court shall consist of a number of judges equal to that of the High Contracting Parties.

ARTICLE 21

Criteria for office

1. The judges shall be of high moral character and must either possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence.
2. The judges shall sit on the Court in their individual capacity.
3. During their term of office the judges shall not engage in any activity which is incompatible with their independence, impartiality or with the demands of a full-time office; all questions arising from the application of this paragraph shall be decided by the Court.

ARTICLE 22

Election of judges

The judges shall be elected by the Parliamentary Assembly with respect to each High Contracting Party by a majority of votes cast from a list of three candidates nominated by the High Contracting Party.

ARTICLE 23

Terms of office and dismissal

1. The judges shall be elected for a period of nine years. They

may not be re-elected.

2. The terms of office of judges shall expire when they reach the age of 70.

3. The judges shall hold office until replaced. They shall, however, continue to deal with such cases as they already have under consideration.^{16 17}

4. No judge may be dismissed from office unless the other judges decide by a majority of two-thirds that that judge has ceased to fulfil the required conditions.

ARTICLE 24

Registry and rapporteurs

1. The Court shall have a Registry, the functions and organisation of which shall be laid down in the rules of the Court.

2. When sitting in a single-judge formation, the Court shall be assisted by rapporteurs who shall function under the authority of the President of the Court. They shall form part of the Court's Registry.

ARTICLE 25

Plenary Court

The plenary Court shall

(a) elect its President and one or two Vice-Presidents for a period of three years; they may be re-elected;

(b) set up Chambers, constituted for a fixed period of time;

(c) elect the Presidents of the Chambers of the Court; they may be re-elected;

(d) adopt the rules of the Court;

(e) elect the Registrar and one or more Deputy Registrars;

(f) make any request under Article 26, paragraph 2.

ARTICLE 26

Single-judge formation, Committees, Chambers and Grand Chamber

1. To consider cases brought before it, the Court shall sit in a single-judge formation, in committees of three judges, in Chambers of seven judges and in a Grand Chamber of seventeen judges. The Court's Chambers shall set up committees for a fixed period of time.

2. At the request of the plenary Court, the Committee of Ministers

may, by a unanimous decision and for a fixed period, reduce to five the number of judges of the Chambers.

3. When sitting as a single judge, a judge shall not examine any application against the High Contracting Party in respect of which that judge has been elected.

4. There shall sit as an ex-officio member of the Chamber and the Grand Chamber the judge elected in respect of the High Contracting Party concerned. If there is none or if that judge is unable to sit, a person chosen by the President of the Court from a list submitted in advance by that Party shall sit in the capacity of judge.

5. The Grand Chamber shall also include the President of the Court, the Vice-Presidents, the Presidents of the Chambers and other judges chosen in accordance with the rules of the Court. When a case is referred to the Grand Chamber under Article 43, no judge from the Chamber which rendered the judgment shall sit in the Grand Chamber, with the exception of the President of the Chamber and the judge who sat in respect of the High Contracting Party concerned.

ARTICLE 27

Competence of single judges

1. A single judge may declare inadmissible or strike out of the Court's list of cases an application submitted under Article 34, where such a decision can be taken without further examination.

2. The decision shall be final. 18 19

3. If the single judge does not declare an application inadmissible or strike it out, that judge shall forward it to a committee or to a Chamber for further examination.

ARTICLE 28

Competence of Committees

1. In respect of an application submitted under Article 34, a committee may, by a unanimous vote,

(a) declare it inadmissible or strike it out of its list of cases, where such decision can be taken without further examination; or

(b) declare it admissible and render at the same time a judgment on the merits, if the underlying question in the

case, concerning the interpretation or the application of the Convention or the Protocols thereto, is already the subject of well-established case-law of the Court.

2. Decisions and judgments under paragraph 1 shall be final.

3. If the judge elected in respect of the High Contracting Party concerned is not a member of the committee, the committee may at any stage of the proceedings invite that judge to take the place of one of the members of the committee, having regard to all relevant factors, including whether that Party has contested the application of the procedure under paragraph 1.b.

ARTICLE 29

Decisions by Chambers on admissibility and merits

1. If no decision is taken under Article 27 or 28, or no judgment rendered under Article 28, a Chamber shall decide on the admissibility and merits of individual applications submitted under Article 34. The decision on admissibility may be taken separately.

2. A Chamber shall decide on the admissibility and merits of inter-State applications submitted under Article 33. The decision on admissibility shall be taken separately unless the Court, in exceptional cases, decides otherwise.

ARTICLE 30

Relinquishment of jurisdiction to the Grand Chamber

Where a case pending before a Chamber raises a serious question affecting the interpretation of the Convention or the Protocols thereto, or where the resolution of a question before the Chamber might have a result inconsistent with a judgment previously delivered by the Court, the Chamber may, at any time before it has rendered its judgment, relinquish jurisdiction in favour of the Grand Chamber, unless one of the parties to the case objects.

ARTICLE 31

Powers of the Grand Chamber

The Grand Chamber shall

(a) determine applications submitted either under Article 33 or Article 34 when a Chamber has relinquished jurisdiction under Article 30 or when the case has been referred to it under Article 43;

(b) decide on issues referred to the Court by the Committee of Ministers in accordance with Article 46, paragraph 4; and

(c) consider requests for advisory opinions submitted under Article 47.20 21

ARTICLE 32

Jurisdiction of the Court

1. The jurisdiction of the Court shall extend to all matters concerning the interpretation and application of the Convention and the Protocols thereto which are referred to it as provided in Articles 33, 34, 46 and 47.

2. In the event of dispute as to whether the Court has jurisdiction, the Court shall decide.

ARTICLE 33

Inter-State cases

Any High Contracting Party may refer to the Court any alleged breach of the provisions of the Convention and the Protocols thereto by another High Contracting Party.

ARTICLE 34

Individual applications

The Court may receive applications from any person, nongovernmental organisation or group of individuals claiming to be the victim of a violation by one of the High Contracting Parties of the rights set forth in the Convention or the Protocols thereto. The High Contracting Parties undertake not to hinder in any way the effective exercise of this right.

ARTICLE 35

Admissibility criteria

1. The Court may only deal with the matter after all domestic remedies have been exhausted, according to the generally recognised rules of international law, and within a period of six months from the date on which the final decision was taken.

2. The Court shall not deal with any application submitted under Article 34 that

(a) is anonymous; or

(b) is substantially the same as a matter that has already been examined by the Court or has already been submitted to another procedure of international investigation or settlement and contains no relevant new information.

3. The Court shall declare inadmissible any individual application submitted under Article 34 if it considers that:

(a) the application is incompatible with the provisions of the Convention or the Protocols thereto, manifestly ill-founded, or an abuse of the right of individual application; or

(b) the applicant has not suffered a significant disadvantage, unless respect for human rights as defined in the Convention and the Protocols thereto requires an examination of the application on the merits and provided that no case may be rejected on this ground which has not been duly considered by a domestic tribunal.

4. The Court shall reject any application which it considers inadmissible under this Article. It may do so at any stage of the proceedings.

ARTICLE 36

Third party intervention

1. In all cases before a Chamber or the Grand Chamber, a High Contracting Party one of whose nationals is an applicant shall have the right to submit written comments and to take part in hearings.

2. The President of the Court may, in the interest of the proper administration of justice, invite any High Contracting Party which is not a party to the proceedings or any person concerned who 22 23 is not the applicant to submit written comments or take part in hearings.

3. In all cases before a Chamber or the Grand Chamber, the Council of Europe Commissioner for Human Rights may submit written comments and take part in hearings.

ARTICLE 37

Striking out applications

1. The Court may at any stage of the proceedings decide to strike an application out of its list of cases where the circumstances lead to the conclusion that

(a) the applicant does not intend to pursue his application; or

(b) the matter has been resolved; or

(c) for any other reason established by the Court, it is no longer justified to continue the examination of the

application.

However, the Court shall continue the examination of the application if respect for human rights as defined in the Convention and the Protocols thereto so requires.

2. The Court may decide to restore an application to its list of cases if it considers that the circumstances justify such a course.

ARTICLE 38

Examination of the case

The Court shall examine the case together with the representatives of the parties and, if need be, undertake an investigation, for the effective conduct of which the High Contracting Parties concerned shall furnish all necessary facilities.

ARTICLE 39

Friendly settlements

1. At any stage of the proceedings, the Court may place itself at the disposal of the parties concerned with a view to securing a friendly settlement of the matter on the basis of respect for human rights as defined in the Convention and the Protocols thereto.

2. Proceedings conducted under paragraph 1 shall be confidential.

3. If a friendly settlement is effected, the Court shall strike the case out of its list by means of a decision which shall be confined to a brief statement of the facts and of the solution reached.

4. This decision shall be transmitted to the Committee of Ministers, which shall supervise the execution of the terms of the friendly settlement as set out in the decision.

ARTICLE 40

Public hearings and access to documents

1. Hearings shall be in public unless the Court in exceptional circumstances decides otherwise.

2. Documents deposited with the Registrar shall be accessible to the public unless the President of the Court decides otherwise.

ARTICLE 41

Just satisfaction

If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be

made, the Court shall, if necessary, afford just satisfaction to the injured party.^{24 25}

ARTICLE 42

Judgments of Chambers

Judgments of Chambers shall become final in accordance with the provisions of Article 44, paragraph 2.

ARTICLE 43

Referral to the Grand Chamber

1. Within a period of three months from the date of the judgment of the Chamber, any party to the case may, in exceptional cases, request that the case be referred to the Grand Chamber.
2. A panel of five judges of the Grand Chamber shall accept the request if the case raises a serious question affecting the interpretation or application of the Convention or the Protocols thereto, or a serious issue of general importance.
3. If the panel accepts the request, the Grand Chamber shall decide the case by means of a judgment.

ARTICLE 44

Final judgments

1. The judgment of the Grand Chamber shall be final.
2. The judgment of a Chamber shall become final
 - (a) when the parties declare that they will not request that the case be referred to the Grand Chamber; or
 - (b) three months after the date of the judgment, if reference of the case to the Grand Chamber has not been requested;or
 - (c) when the panel of the Grand Chamber rejects the request to refer under Article 43.
3. The final judgment shall be published.

ARTICLE 45

Reasons for judgments and decisions

1. Reasons shall be given for judgments as well as for decisions declaring applications admissible or inadmissible.
2. If a judgment does not represent, in whole or in part, the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

ARTICLE 46

Binding force and execution of judgments

1. The High Contracting Parties undertake to abide by the final judgment of the Court in any case to which they are parties.
2. The final judgment of the Court shall be transmitted to the Committee of Ministers, which shall supervise its execution.
3. If the Committee of Ministers considers that the supervision of the execution of a final judgment is hindered by a problem of interpretation of the judgment, it may refer the matter to the Court for a ruling on the question of interpretation. A referral decision shall require a majority vote of two thirds of the representatives entitled to sit on the committee.
4. If the Committee of Ministers considers that a High Contracting Party refuses to abide by a final judgment in a case to which it is a party, it may, after serving formal notice on that Party and by decision adopted by a majority vote of two thirds of the representatives entitled to sit on the committee, refer to the Court the question whether that Party has failed to fulfil its obligation under paragraph 1.
5. If the Court finds a violation of paragraph 1, it shall refer the case to the Committee of Ministers for consideration of the measures to be taken. If the Court finds no violation of paragraph 1, it shall refer the case to the Committee of Ministers, which shall close its examination of the case.

ARTICLE 47

Advisory opinions

1. The Court may, at the request of the Committee of Ministers, give advisory opinions on legal questions concerning the interpretation of the Convention and the Protocols thereto.
2. Such opinions shall not deal with any question relating to the content or scope of the rights or freedoms defined in Section I of the Convention and the Protocols thereto, or with any other question which the Court or the Committee of Ministers might have to consider in consequence of any such proceedings as could be instituted in accordance with the Convention.
3. Decisions of the Committee of Ministers to request an advisory opinion of the Court shall require a majority vote of the representatives entitled to sit on the committee.

ARTICLE 48

Advisory jurisdiction of the Court

The Court shall decide whether a request for an advisory opinion submitted by the Committee of Ministers is within its competence as defined in Article 47.

ARTICLE 49

Reasons for advisory opinions

1. Reasons shall be given for advisory opinions of the Court.
2. If the advisory opinion does not represent, in whole or in part, the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.
3. Advisory opinions of the Court shall be communicated to the Committee of Ministers.

ARTICLE 50

Expenditure on the Court

The expenditure on the Court shall be borne by the Council of Europe.

ARTICLE 51

Privileges and immunities of judges

The judges shall be entitled, during the exercise of their functions, to the privileges and immunities provided for in Article 40 of the Statute of the Council of Europe and in the agreements made thereunder.

SECTION III

MISCELLANEOUS PROVISIONS

ARTICLE 52

Inquiries by the Secretary General

On receipt of a request from the Secretary General of the Council of Europe any High Contracting Party shall furnish an explanation of the manner in which its internal law ensures the effective implementation of any of the provisions of the Convention.

ARTICLE 53

Safeguard for existing human rights

Nothing in this Convention shall be construed as limiting or derogating from any of the human rights and fundamental freedoms which may be ensured under the laws of any High Contracting Party or under any other agreement to which it is a

party.

ARTICLE 54

Powers of the Committee of Ministers

Nothing in this Convention shall prejudice the powers conferred on the Committee of Ministers by the Statute of the Council of Europe.

ARTICLE 55

Exclusion of other means of dispute settlement

The High Contracting Parties agree that, except by special agreement, they will not avail themselves of treaties, conventions or declarations in force between them for the purpose of submitting, by way of petition, a dispute arising out of the interpretation or application of this Convention to a means of settlement other than those provided for in this Convention.

ARTICLE 56

Territorial application

1. Any State may at the time of its ratification or at any time thereafter declare by notification addressed to the Secretary General of the Council of Europe that the present Convention shall, subject to paragraph 4 of this Article, extend to all or any of the territories for whose international relations it is responsible.
2. The Convention shall extend to the territory or territories named in the notification as from the thirtieth day after the receipt of this notification by the Secretary General of the Council of Europe.
3. The provisions of this Convention shall be applied in such territories with due regard, however, to local requirements.
4. Any State which has made a declaration in accordance with paragraph 1 of this Article may at any time thereafter declare on behalf of one or more of the territories to which the declaration relates that it accepts the competence of the Court to receive applications from individuals, non-governmental organisations or groups of individuals as provided by Article 34 of the Convention.

ARTICLE 57

Reservations

1. Any State may, when signing this Convention or when depositing its instrument of ratification, make a reservation in

respect of any particular provision of the Convention to the extent that any law then in force in its territory is not in conformity with the provision. Reservations of a general character shall not be permitted under this Article.

2. Any reservation made under this Article shall contain a brief statement of the law concerned.

ARTICLE 58

Denunciation

1. A High Contracting Party may denounce the present Convention only after the expiry of five years from the date on which it became a party to it and after six months' notice contained in a notification addressed to the Secretary General of the Council of Europe, who shall inform the other High Contracting Parties.

2. Such a denunciation shall not have the effect of releasing the High Contracting Party concerned from its obligations under this Convention in respect of any act which, being capable of constituting a violation of such obligations, may have been performed by it before the date at which the denunciation became effective.

3. Any High Contracting Party which shall cease to be a member of the Council of Europe shall cease to be a Party to this Convention under the same conditions.

4. The Convention may be denounced in accordance with the provisions of the preceding paragraphs in respect of any territory to which it has been declared to extend under the terms of Article 56.

ARTICLE 59

Signature and ratification

1. This Convention shall be open to the signature of the members of the Council of Europe. It shall be ratified. Ratifications shall be deposited with the Secretary General of the Council of Europe.

2. The European Union may accede to this Convention.

3. The present Convention shall come into force after the deposit of ten instruments of ratification.

4. As regards any signatory ratifying subsequently, the Convention shall come into force at the date of the deposit of its instrument of ratification.

5. The Secretary General of the Council of Europe shall notify all the members of the Council of Europe of the entry into force of the Convention, the names of the High Contracting Parties who have ratified it, and the de-posit of all instruments of ratification which may be effected subsequently.

DONE AT ROME THIS 4TH DAY OF NOVEMBER 1950, in English and French, both texts being equally authentic, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General shall transmit certified copies to each of the signatories.

Protocol

to the Convention

for the Protection of Human Rights

and Fundamental Freedoms

Paris, 20.III.1952

THE GOVERNMENTS SIGNATORY HERETO, being members of the Council of Europe,

Being resolved to take steps to ensure the collective enforcement of certain rights and freedoms other than those already included in Section I of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4 November 1950 (hereinafter referred to as "the Convention"),

Have agreed as follows:

ARTICLE 1

Protection of property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.^{32 33}

ARTICLE 2

Right to education

No person shall be denied the right to education. In the exercise

of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

ARTICLE 3

Right to free elections

The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.

ARTICLE 4

Territorial application

Any High Contracting Party may at the time of signature or ratification or at any time thereafter communicate to the Secretary General of the Council of Europe a declaration stating the extent to which it undertakes that the provisions of the present Protocol shall apply to such of the territories for the international relations of which it is responsible as are named therein.

Any High Contracting Party which has communicated a declaration in virtue of the preceding paragraph may from time to time communicate a further declaration modifying the terms of any former declaration or terminating the application of the provisions of this Protocol in respect of any territory.

A declaration made in accordance with this Article shall be deemed to have been made in accordance with paragraph 1 of Article 56 of the Convention.

ARTICLE 5

Relationship to the Convention

As between the High Contracting Parties the provisions of Articles 1, 2, 3 and 4 of this Protocol shall be regarded as additional Articles to the Convention and all the provisions of the Convention shall apply accordingly.

ARTICLE 6

Signature and ratification

This Protocol shall be open for signature by the members of the Council of Europe, who are the signatories of the Convention; it shall be ratified at the same time as or after the ratification

of the Convention. It shall enter into force after the deposit of ten instruments of ratification. As regards any signatory ratifying subsequently, the Protocol shall enter into force at the date of the deposit of its instrument of ratification.

The instruments of ratification shall be deposited with the Secretary General of the Council of Europe, who will notify all members of the names of those who have ratified.

DONE AT PARIS ON THE 20TH DAY OF MARCH 1952, in English and French, both texts being equally authentic, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General shall transmit certified copies to each of the signatory governments.^{34 35}

Protocol No. 4

to the Convention

for the Protection of Human Rights

and Fundamental Freedoms

securing certain rights and freedoms

other than those already included

in the Convention

and in the First Protocol thereto

Strasbourg, 16.IX.1963

THE GOVERNMENTS SIGNATORY HERETO, being members of the Council of Europe,

Being resolved to take steps to ensure the collective enforcement of certain rights and freedoms other than those already included in Section I of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4th November 1950

(hereinafter referred to as the "Convention") and in Articles 1 to 3 of the First Protocol to the Convention, signed at Paris on 20th March 1952,

Have agreed as follows:

ARTICLE 1

Prohibition of imprisonment for debt

No one shall be deprived of his liberty merely on the ground of inability to fulfil a contractual obligation.

ARTICLE 2

Freedom of movement

1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.
2. Everyone shall be free to leave any country, including his own.
3. No restrictions shall be placed on the exercise of these rights other than such as are in accordance with law and are necessary in a democratic society in the interests of national security or public safety, for the maintenance of ordre public, for the prevention of crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.
4. The rights set forth in paragraph 1 may also be subject, in particular areas, to restrictions imposed in accordance with law and justified by the public interest in a democratic society.

ARTICLE 3

Prohibition of expulsion of nationals

1. No one shall be expelled, by means either of an individual or of a collective measure, from the territory of the State of which he is a national.
2. No one shall be deprived of the right to enter the territory of the state of which he is a national.

ARTICLE 4

Prohibition of collective expulsion of aliens

Collective expulsion of aliens is prohibited.^{36 37}

ARTICLE 5

Territorial application

1. Any High Contracting Party may, at the time of signature or ratification of this Protocol, or at any time thereafter, communicate to the Secretary General of the Council of Europe a declaration stating the extent to which it undertakes that the provisions of this Protocol shall apply to such of the territories for the international relations of which it is responsible as are named therein.
2. Any High Contracting Party which has communicated a declaration in virtue of the preceding paragraph may, from time to time, communicate a further declaration modifying the terms of any former declaration or terminating the application of the provisions of this Protocol in respect of any territory.

3. A declaration made in accordance with this Article shall be deemed to have been made in accordance with paragraph 1 of Article 56 of the Convention.

4. The territory of any State to which this Protocol applies by virtue of ratification or acceptance by that State, and each territory to which this Protocol is applied by virtue of a declaration by that State under this Article, shall be treated as separate territories for the purpose of the references in Articles 2 and 3 to the territory of a State.

5. Any State which has made a declaration in accordance with paragraph 1 or 2 of this Article may at any time thereafter declare on behalf of one or more of the territories to which the declaration relates that it accepts the competence of the Court to receive applications from individuals, non-governmental organisations or groups of individuals as provided in Article 34 of the Convention in respect of all or any of Articles 1 to 4 of this Protocol.

ARTICLE 6

Relationship to the Convention

As between the High Contracting Parties the provisions of Articles 1 to 5 of this Protocol shall be regarded as additional Articles to the Convention, and all the provisions of the Convention shall apply accordingly.

ARTICLE 7

Signature and ratification

1. This Protocol shall be open for signature by the members of the Council of Europe who are the signatories of the Convention; it shall be ratified at the same time as or after the ratification of the Convention. It shall enter into force after the deposit of five instruments of ratification. As regards any signatory ratifying subsequently, the Protocol shall enter into force at the date of the deposit of its instrument of ratification.

2. The instruments of ratification shall be deposited with the Secretary General of the Council of Europe, who will notify all members of the names of those who have ratified.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

DONE AT STRASBOURG, THIS 16TH DAY OF SEPTEMBER 1963,

in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary General shall transmit certified copies to each of the signatory states.^{38 39}

Protocol No. 6

to the Convention

for the Protection of Human Rights

and Fundamental Freedoms

concerning the Abolition

of the Death Penalty

Strasbourg, 28.IV.1983

THE MEMBER STATES OF THE COUNCIL OF EUROPE,

signatory to this Protocol to the Convention for the Protection

of Human Rights and Fundamental Freedoms, signed at Rome

on 4 November 1950 (hereinafter referred to as "the Convention"),

Considering that the evolution that has occurred in several member States of the Council of Europe expresses a general tendency in favour of abolition of the death penalty;

Have agreed as follows:

ARTICLE 1

Abolition of the death penalty

The death penalty shall be abolished. No one shall be condemned to such penalty or executed.

ARTICLE 2

Death penalty in time of war

A State may make provision in its law for the death penalty in respect of acts committed in time of war or of imminent threat of war; such penalty shall be applied only in the instances laid down in the law and in accordance with its provisions. The State shall communicate to the Secretary General of the Council of Europe the relevant provisions of that law.

ARTICLE 3

Prohibition of derogations

No derogation from the provisions of this Protocol shall be made under Article 15 of the Convention.

ARTICLE 4

Prohibition of reservations

No reservation may be made under Article 57 of the Convention in respect of the provisions of this Protocol.

ARTICLE 5

Territorial application

1. Any State may at the time of signature or when depositing its instrument of ratification, acceptance or approval, specify the territory or territories to which this Protocol shall apply.
2. Any State may at any later date, by a declaration addressed to the Secretary General of the Council of Europe, extend the application of this Protocol to any other territory specified in the declaration. In respect of such territory the Protocol shall enter into 40 41 force on the first day of the month following the date of receipt of such declaration by the Secretary General.
3. Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn by a notification addressed to the Secretary General. The withdrawal shall become effective on the first day of the month following the date of receipt of such notification by the Secretary General.

ARTICLE 6

Relationship to the Convention

As between the States Parties the provisions of Articles 1 to 5 of this Protocol shall be regarded as additional Articles to the Convention and all the provisions of the Convention shall apply accordingly.

ARTICLE 7

Signature and ratification

The Protocol shall be open for signature by the member States of the Council of Europe, signatories to the Convention. It shall be subject to ratification, acceptance or approval. A member State of the Council of Europe may not ratify, accept or approve this Protocol unless it has, simultaneously or previously, ratified the Convention. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

ARTICLE 8

Entry into force

1. This Protocol shall enter into force on the first day of the month following the date on which five member States of the Council of Europe have expressed their consent to be bound by the Protocol in accordance with the provisions of Article 7.
2. In respect of any member State which subsequently expresses its consent to be bound by it, the Protocol shall enter into force on the first day of the month following the date of the deposit of the instrument of ratification, acceptance or approval.

ARTICLE 9

Depositary functions

The Secretary General of the Council of Europe shall notify the member States of the Council of:

- (a) any signature;
- (b) the deposit of any instrument of ratification, acceptance or approval;
- (c) any date of entry into force of this Protocol in accordance with Articles 5 and 8;
- (d) any other act, notification or communication relating to this Protocol.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

DONE AT STRASBOURG, THIS 28TH DAY OF APRIL 1983, in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe.^{42 43}

Protocol No. 7

to the Convention
for the Protection of Human Rights
and Fundamental Freedoms

Strasbourg, 22.XI.1984

THE MEMBER STATES OF THE COUNCIL OF EUROPE, signatory
hereto,

Being resolved to take further steps to ensure the collective
enforcement of certain rights and freedoms by means of the
Convention for the Protection of Human Rights and Fundamental

Freedoms signed at Rome on 4 November 1950 (hereinafter referred to as "the Convention"),

Have agreed as follows:

ARTICLE 1

Procedural safeguards relating to expulsion of aliens

1. An alien lawfully resident in the territory of a State shall not be expelled therefrom except in pursuance of a decision reached in accordance with law and shall be allowed:

- (a) to submit reasons against his expulsion,
- (b) to have his case reviewed, and
- (c) to be represented for these purposes before the competent authority or a person or persons designated by that authority.

2. An alien may be expelled before the exercise of his rights under paragraph 1.a, b and c of this Article, when such expulsion is necessary in the interests of public order or is grounded on reasons of national security.

ARTICLE 2

Right of appeal in criminal matters

1. Everyone convicted of a criminal offence by a tribunal shall have the right to have his conviction or sentence reviewed by a higher tribunal. The exercise of this right, including the grounds on which it may be exercised, shall be governed by law.

2. This right may be subject to exceptions in regard to offences of a minor character, as prescribed by law, or in cases in which the person concerned was tried in the first instance by the highest tribunal or was convicted following an appeal against acquittal.

ARTICLE 3

Compensation for wrongful conviction

When a person has by a final decision been convicted of a criminal offence and when subsequently his conviction has been reversed, or he has been pardoned, on the ground that a new or newly discovered fact shows conclusively that there has been a miscarriage of justice, the person who has suffered punishment as a result of such conviction shall be compensated according to the law or the practice of the State concerned, unless it is proved that the non-disclosure of the unknown fact in time is wholly or partly

attributable to him.^{44 45}

ARTICLE 4

Right not to be tried or punished twice

1. No one shall be liable to be tried or punished again in criminal proceedings under the jurisdiction of the same State for an offence for which he has already been finally acquitted or convicted in accordance with the law and penal procedure of that State.
2. The provisions of the preceding paragraph shall not prevent the reopening of the case in accordance with the law and penal procedure of the State concerned, if there is evidence of new or newly discovered facts, or if there has been a fundamental defect in the previous proceedings, which could affect the outcome of the case.
3. No derogation from this Article shall be made under Article 15 of the Convention.

ARTICLE 5

Equality between spouses

Spouses shall enjoy equality of rights and responsibilities of a private law character between them, and in their relations with their children, as to marriage, during marriage and in the event of its dissolution. This Article shall not prevent States from taking such measures as are necessary in the interests of the children.

ARTICLE 6

Territorial application

1. Any State may at the time of signature or when depositing its instrument of ratification, acceptance or approval, specify the territory or territories to which the Protocol shall apply and state the extent to which it undertakes that the provisions of this Protocol shall apply to such territory or territories.
2. Any State may at any later date, by a declaration addressed to the Secretary General of the Council of Europe, extend the application of this Protocol to any other territory specified in the declaration. In respect of such territory the Protocol shall enter into force on the first day of the month following the expiration of a period of two months after the date of receipt by the Secretary General of such declaration.

3. Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn or modified by a notification addressed to the Secretary General. The withdrawal or modification shall become effective on the first day of the month following the expiration of a period of two months after the date of receipt of such notification by the Secretary General.

4. A declaration made in accordance with this Article shall be deemed to have been made in accordance with paragraph 1 of Article 56 of the Convention.

5. The territory of any State to which this Protocol applies by virtue of ratification, acceptance or approval by that State, and each territory to which this Protocol is applied by virtue of a declaration by that State under this Article, may be treated as separate territories for the purpose of the reference in Article 1 to the territory of a State.

6. Any State which has made a declaration in accordance with paragraph 1 or 2 of this Article may at any time thereafter declare on behalf of one or more of the territories to which the declaration relates that it accepts the competence of the Court to receive applications from individuals, non-governmental organisations or groups of individuals as provided in Article 34 of the Convention in respect of Articles 1 to 5 of this Protocol.^{46 47}

ARTICLE 7

Relationship to the Convention

As between the States Parties, the provisions of Article 1 to 6 of this Protocol shall be regarded as additional Articles to the Convention, and all the provisions of the Convention shall apply accordingly.

ARTICLE 8

Signature and ratification

This Protocol shall be open for signature by member States of the Council of Europe which have signed the Convention. It is subject to ratification, acceptance or approval. A member State of the Council of Europe may not ratify, accept or approve this Protocol without previously or simultaneously ratifying the Convention.

Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

ARTICLE 9

Entry into force

1. This Protocol shall enter into force on the first day of the month following the expiration of a period of two months after the date on which seven member States of the Council of Europe have expressed their consent to be bound by the Protocol in accordance with the provisions of Article 8.

2. In respect of any member State which subsequently expresses its consent to be bound by it, the Protocol shall enter into force on the first day of the month following the expiration of a period of two months after the date of the deposit of the instrument of ratification, acceptance or approval.

ARTICLE 10

Depositary functions

The Secretary General of the Council of Europe shall notify all the member States of the Council of Europe of:

- (a) any signature;
- (b) the deposit of any instrument of ratification, acceptance or approval;
- (c) any date of entry into force of this Protocol in accordance with Articles 6 and 9;
- (d) any other act, notification or declaration relating to this Protocol.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

DONE AT STRASBOURG, THIS 22ND DAY OF NOVEMBER 1984, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe.^{48 49}

Protocol No. 12

to the Convention
for the Protection of Human Rights
and Fundamental Freedoms

Rome, 4.XI.2000

THE MEMBER STATES OF THE COUNCIL OF EUROPE, signatory hereto,

Having regard to the fundamental principle according to which all persons are equal before the law and are entitled to the equal protection of the law;

Being resolved to take further steps to promote the equality of all persons through the collective enforcement of a general prohibition of discrimination by means of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4 November 1950 (hereinafter referred to as "the Convention");

Reaffirming that the principle of non-discrimination does not prevent States Parties from taking measures in order to promote full and effective equality, provided that there is an objective and reasonable justification for those measures,

Have agreed as follows:

ARTICLE 1

General prohibition of discrimination

1. The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

2. No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

ARTICLE 2

Territorial application

1. Any State may, at the time of signature or when depositing its instrument of ratification, acceptance or approval, specify the territory or territories to which this Protocol shall apply.

2. Any State may at any later date, by a declaration addressed to the Secretary General of the Council of Europe, extend the application of this Protocol to any other territory specified in the declaration. In respect of such territory the Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date of receipt by the Secretary General of such declaration.

3. Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn or modified by a notification addressed to the Secretary General of the Council of Europe. The withdrawal or modification shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of such notification by the Secretary General.

4. A declaration made in accordance with this Article shall be deemed to have been made in accordance with paragraph 1 of Article 56 of the Convention.

5. Any State which has made a declaration in accordance with paragraph 1 or 2 of this Article may at any time thereafter declare on behalf of one or more of the territories to which the declaration relates that it accepts the competence of the Court to receive 50 51 applications from individuals, non-governmental organisations or groups of individuals as provided by Article 34 of the Convention in respect of Article 1 of this Protocol.

ARTICLE 3

Relationship to the Convention

As between the States Parties, the provisions of Articles 1 and 2 of this Protocol shall be regarded as additional Articles to the Convention, and all the provisions of the Convention shall apply accordingly.

ARTICLE 4

Signature and ratification

This Protocol shall be open for signature by member States of the Council of Europe which have signed the Convention. It is subject to ratification, acceptance or approval. A member State of the Council of Europe may not ratify, accept or approve this Protocol without previously or simultaneously ratifying the Convention. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

ARTICLE 5

Entry into force

1. This Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date on which ten member States of the Council of Europe

have expressed their consent to be bound by the Protocol in accordance with the provisions of Article 4.

2. In respect of any member State which subsequently expresses its consent to be bound by it, the Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of the instrument of ratification, acceptance or approval.

ARTICLE 6

Depositary functions

The Secretary General of the Council of Europe shall notify all the member States of the Council of Europe of:

- (a) any signature;
- (b) the deposit of any instrument of ratification, acceptance or approval;
- (c) any date of entry into force of this Protocol in accordance with Articles 2 and 5;
- (d) any other act, notification or communication relating to this Protocol.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

DONE AT ROME, THIS 4TH DAY OF NOVEMBER 2000, in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe.^{52 53}

Protocol No. 13

to the Convention
for the Protection of Human Rights
and Fundamental Freedoms
concerning the abolition of the death
penalty in all circumstances

Vilnius, 3.5.2002

THE MEMBER STATES OF THE COUNCIL OF EUROPE, signatory
hereto,

Convinced that everyone's right to life is a basic value in a
democratic society and that the abolition of the death penalty is

essential for the protection of this right and for the full recognition of the inherent dignity of all human beings;
Wishing to strengthen the protection of the right to life guaranteed by the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4 November 1950 (hereinafter referred to as "the Convention");
Noting that Protocol No. 6 to the Convention, concerning the Abolition of the Death Penalty, signed at Strasbourg on 28 April 1983, does not exclude the death penalty in respect of acts committed in time of war or of imminent threat of war;
Being resolved to take the final step in order to abolish the death penalty in all circumstances,
Have agreed as follows:

ARTICLE 1

Abolition of the death penalty

The death penalty shall be abolished. No one shall be condemned to such penalty or executed.

ARTICLE 2

Prohibition of derogations

No derogation from the provisions of this Protocol shall be made under Article 15 of the Convention.

ARTICLE 3

Prohibition of reservations

No reservation may be made under Article 57 of the Convention in respect of the provisions of this Protocol.

ARTICLE 4

Territorial application

1. Any state may, at the time of signature or when depositing its instrument of ratification, acceptance or approval, specify the territory or territories to which this Protocol shall apply.
2. Any state may at any later date, by a declaration addressed to the Secretary General of the Council of Europe, extend the application of this Protocol to any other territory specified in the declaration. In respect of such territory the Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date of receipt by the Secretary General of such declaration.

3. Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, 54 55 be withdrawn or modified by a notification addressed to the Secretary General. The withdrawal or modification shall become effective on the first day of the month following the expiration of a period of three months after the date of receipt of such notification by the Secretary General.

ARTICLE 5

Relationship to the Convention

As between the states Parties the provisions of Articles 1 to 4 of this Protocol shall be regarded as additional Articles to the Convention, and all the provisions of the Convention shall apply accordingly.

ARTICLE 6

Signature and ratification

This Protocol shall be open for signature by member states of the Council of Europe which have signed the Convention. It is subject to ratification, acceptance or approval. A member state of the Council of Europe may not ratify, accept or approve this Protocol without previously or simultaneously ratifying the Convention. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

ARTICLE 7

Entry into force

1. This Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date on which ten member states of the Council of Europe have expressed their consent to be bound by the Protocol in accordance with the provisions of Article 6.

2. In respect of any member state which subsequently expresses its consent to be bound by it, the Protocol shall enter into force on the first day of the month following the expiration of a period of three months after the date of the deposit of the instrument of ratification, acceptance or approval.

ARTICLE 8

Depositary functions

The Secretary General of the Council of Europe shall notify all the

member states of the Council of Europe of:

- (a) any signature;
- (b) the deposit of any instrument of ratification, acceptance or approval;
- (c) any date of entry into force of this Protocol in accordance with Articles 4 and 7;
- (d) any other act, notification or communication relating to this Protocol.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

DONE AT VILNIUS, THIS 3RD DAY OF MAY 2002, in English and in French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe.

The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe. European Convention on Human Rights

European Court of Human Rights

Council of Europe

F-67075 Strasbourg cedex

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www.echr.coe.int

E N G

P46: Agreement on the issue of travel documents for refugees, october 15, 1946.pdf - 46:2 [Cambridge University Press and..] (1:1-5:2298) (Super)

Codes: [Does the text represent or advocate a message?]

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British Institute of International and Comparative Law

Agreement Relating to the Issue of a Travel Document to Refugees Who Are the Concern of the Intergovernmental Committee on Refugees

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they comply with these laws and regulations are liable to be refused leave to enter or land.

(4) As regards

travel to French or British colonies and overseas territories, protectorates or territories under mandate or trusteeship,

it is understood that visas will continue to be required.

2. If the French Government are prepared

to accept

the fore-

going provisions

I have the honour to

suggest

that the present note

and your Excellency's reply

in similar terms should be regarded as

placing on record the agreement between the two Governments,

which shall take effect on January 1, 1947.

I have, etc.,

ERNEST BEVIN.

5

AGREEMENT RELATING TO THE ISSUE OF A TRAVEL
DOCUMENT TO REFUGEES WHO ARE THE CON-
CERN OF THE INTERGOVERNMENTAL COMMITTEE
ON REFUGEES.3

LONDON, OCTOBER 15, 1946

THE CONTRACTING GOVERNMENTS,

Having examined a Resolution adopted by
the Intergovern-
mental Committee on Refugees at its Plenary Session on August 17,
1944, relating
to the establishment of an
identity and travel docu-
ment for refugees who are the concern of the Intergovernmental
Committee on Refugees,
Having regard
to the international measures previously
taken
in the matter of travel documents for certain categories
of
refugees,

Convinced of the necessity of
taking
similar measures on behalf
of the refugees referred to in the above-mentioned Resolution, with
a view,
in particular,
to
facilitating
the movement of these refugees,

Considering
that the making of arrangements
for the
emigration
of refugees who cannot be absorbed in the countries in which
they

have taken refuge
is an essential part of the work undertaken for
the benefit of the said refugees,

Have agreed as follows:-

Article 1

1. Subject
to the further provisions

laid down in Articles 2 and
16, a travel document, in accordance with the provisions of
Article 8, shall be issued by
the Contracting Governments to
refugees who are the concern of the
Intergovernmental Committee,

3

See [Cmd.] 7033 for full text.

I.L.Q. 19*

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provided

that the said refugees are stateless or do not in fact enjoy
the protection of any Government,
that

they are
staying lawfully
in the

territory of the Contracting Government concerned, and that
they are not benefiting by
the provisions regarding
the issue of a

travel document contained in the Arrangements of July 5, 1922,
May 31, 1924, May 12, 1926, June 30, 1928, July 30, 1935, or the
Convention of October 28, 1933.⁴

2. The said document will be issued to refugees who apply
for

it for the purpose of travel outside their country of residence.

Article 2

As a transitional measure, the document referred to in Article 1
may, at the discretion of the Government concerned, be issued to
refugees who, while

fulfilling
the other conditions laid down by the
present Agreement, are not
staying lawfully
in the

territory of the
Contracting Government concerned on the date of the coming
into
force of the present Agreement, provided
that
they report
them-
selves to the authorities within a period
to be prescribed by
the
Government concerned and which shall not be less than three
months.

Article 3

1. The travel document referred to in the present Agreement
shall be similar to the attached
specimen (see Annex).
2. It shall be made out in at least two
languages-French, and
the national
language or
languages of the authority which issues
the document.

Article 4

Subject
to the regulations obtaining
in the country of issue,
children may be included in the travel document of an adult refugee.

Article 5

The fees
charged
for issue of the travel document shall not exceed
the lowest scale of charges
for national passports.

Article 6

Save in
special or exceptional cases, the documents shall be made
valid for the

largest possible number of countries.

Article 7

The document shall have a validity of either one or two years, at the discretion of the issuing authority.

Article 8

1. The renewal or extension of the validity of the document is a matter for the authority which issued it, so long as the holder

4 Treaty Series No. 4 (1937).

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resides

lawfully

in the

territory of the said authority. The issue of

a new document is, under the same conditions, a matter for the authority which issued the former document.

2. Diplomatic or consular authorities, specially authorised for the purpose,

shall be empowered

to extend, for a period not

exceeding

six months, the validity of travel documents issued by

their Governments.

Article 9

Each Contracting Government shall recognise

the validity of the

documents issued in accordance with the provisions of the present

Agreement.

Article 10

The

competent authorities of the country

to which the refugee

desires to proceed shall,

if

they are prepared

to admit him, affix a

visa on the document of which he is the holder.

Article 11

The authorities of the territories to which the present Agreement applies undertake to issue transit visas to refugees who have obtained visas for the territory of final destination.

Article 12

The fees for the issue of exit, entry or transit visas shall not exceed the lowest scale of charges for visas on foreign passports.

Article 13

When a refugee has lawfully taken up residence in another territory to which the present Agreement applies, the power to issue a new travel document will be transferred to the competent authority of that territory, to which the refugee shall be entitled to apply.

Article 14

The authority issuing a new document shall withdraw the old document.

Article 15

1. The travel document shall entitle the holder to leave the country where it has been issued and, during the period of validity of the said document, to return thereto without a visa from the authorities of that country, subject only to those laws and regulations which apply to the bearers of duly visaed passports.

2. The Contracting Governments reserve the right, in exceptional cases, when issuing the document, to limit the period during which the refugee may return, the said period being not less than three months.

Article 16

1. Subject only to the terms of Article 15, the present provisions in no way affect the laws and regulations governing the conditions of admission to, transit through, residence and establishment in, and departure from, the territories to which the present Agreement applies.

2. Nor do they affect the special provisions concerning persons coming under the present Agreement in the territories to which it applies.

Article 17

Neither the issue of the document nor the entries made thereon determine or affect the status of the holder, particularly as regards nationality.

Article 18

The issue of the document does not in any way entitle the holder to the protection of the diplomatic or consular authorities of the country of issue, and does not confer on these authorities a right of protection.

Article 19

Travel documents issued before the entry into force of the

present Agreement
to persons benefiting by
the provisions of
Articles 1 and 2 shall remain valid until
they have
expired.

Article 20

In the event of the transfer to any other international organisation of the functions of the
Inter-governmental Committee on
Refugees, all the provisions
in the Agreement relating
to the
Inter-governmental Committee shall be deemed to apply
to the
said organisation.

6

AGREEMENT BETWEEN THE GOVERNMENT OF THE
UNITED KINGDOM AND THE GOVERNMENT OF
THE UNITED STATES OF AMERICA RELATING TO
AIR SERVICES BETWEEN THEIR RESPECTIVE
TERRITORIES.⁵

BERMUDA, FEBRUARY 11, 1946

Article 1

Each Contracting Party grants
to the other Contracting Party
rights
to the extent described in the Annex to this Agreement
for
the purpose of the establishment of air services described therein
or as amended in accordance with Section IV of the Annex
(hereinafter referred to as 'the agreed services').

Article 2

(1) The agreed
services may be
inaugurated immediately or at
a later date at the option of the Contracting Party to whom the

5 See [Cmd.] 6747 for full text.

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P47: BNCfiche BZ visa voor economische groei 2013.pdf - 47:7 [Nederland is groot voorstander..] (3:2618-4:1144) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Nederland is groot voorstander van ruime gebruikmaking van de ruimte die de regelgeving biedt om bonafide visumaanvragers te faciliteren en past dit al sinds de inwerkingtreding van de Visumcode veelvuldig toe in de uitvoeringspraktijk, met name ten behoeve van de internationale handelscontacten en zeevaartindustrie. NL deelt de visie van de Commissie dat de inwerkingtreding van de Visumcode al geleid heeft tot Tweede Kamer, vergaderjaar 2012–2013, 22 112, nr. 1525 3veel verbeteringen in de visumprocedures en dat een optimale toepassing door alle lidstaten belemmeringen voor visumaanvragers verder wegneemt.

Wat toekomstige wijzigingen in de regelgeving betreft heeft NL een positieve grondhouding ten aanzien van meer mogelijkheden om bonafide visumaanvragers te faciliteren, niet alleen voor de toeristensector, maar ook voor het internationale handelsverkeer, mits dit niet de risico's op het gebied van illegale migratie, openbare orde en veiligheid en de internationale betrekkingen vergroot.

Ten aanzien van het bepalen van de gemeenschappelijke beoordelingscriteria, is Nederland van mening dat het initiatief bij de lokaal aanwezige Schengenposten dient te blijven liggen, aangezien de diplomatieke vertegenwoordigingen van de Schengenlidstaten het meeste zicht hebben op de lokale context, inclusief belangen en risico's. Ten aanzien van voorstellen van de Commissie voor uitvoeringshandelingen binnen de kaders van de regelgeving zal Nederland er in het comité dan ook op toezien dat voldoende rekening wordt gehouden met de expertise van de Schengenposten op locatie.

P47: BNCfiche BZ visa voor economische groei 2013.pdf - 47:8 [Indien de aangekondigde evalua..] (4:1148-4:2839) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Indien de aangekondigde evaluatie van de Visumcode in een later stadium

leidt tot een voorstel voor aanpassing van de regelgeving, zal Nederland zich inzetten voor:

- de juiste balans tussen het faciliteren van goed bekendstaande visumaanvragers en het tegengaan van risico's op het gebied van illegale immigratie, openbare orde, binnenlandse veiligheid en de internationale betrekkingen;
- harmonisatie van de uitvoeringspraktijk, opdat het bevorderen van de economische belangen van de ene lidstaat niet leiden tot ongewenste effecten voor de andere;
- betere gebruikmaking van de hedendaagse technologie (bijv. het creëren van een mogelijkheid om visumaanvragen elektronisch in te dienen);
- behoud van de mogelijkheid om voor Nederland belangrijke visumplichtige vreemdelingen te faciliteren (bijv. op handelsgebied en in de zeevaartindustrie);
- het bezien van nieuwe maatregelen in een brede context, waaronder in relatie tot het terugkeerdossier; en
- het waarborgen dat voorstellen van de Commissie gepaard gaan met impact-analyses om te voorkomen dat nieuwe maatregelen leiden tot ongewenste neveneffecten. De Commissie zou hierbij naast een analyse van de migratie- en veiligheidsgevolgen zich eveneens moeten uitspreken over de verwachte gevolgen op het gebied van handel en economie (inclusief toerisme).

Het visumbeleid is een belangrijk instrument waarmee de vrije circulatie van personen binnen het Schengengebied mogelijk wordt gemaakt, mits voldoende oog wordt gehouden voor het tegengaan van risico's van illegale immigratie, openbare orde, binnenlandse veiligheid en internationale betrekkingen voor één van de lidstaten.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:5 [The proposed amendments while ..] (2:2796-3:123) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

The proposed amendments while maintaining security at the external borders and ensuring the good functioning of the Schengen area, make travel easier for legitimate travellers and simplify the legal framework in the interest of Member States, e.g. by allowing more flexible rules on consular cooperation. The common visa policy should contribute to generating

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COM(2012) 649 final.

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COM (2014) 165.

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SWD (2014) 101 . EN 3 EN

growth and be coherent with other EU policies on external relations, trade, education, culture and tourism.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:6 [The IA also showed that the ve..] (4:576-4:706) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

The IA also showed that the very high potential economic impact of the maximum option is associated with a higher security risk.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:7 [While it was clear that the ma..] (4:1515-4:2089) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

While it was clear that the maximum option had a very high potential economic impact, it is associated with a potentially higher security risk, too. To mitigate this risk, the approach proposed is to issue longer-validity MEVs gradually to 'VIS registered regular travellers' (first for three years, then on the basis of lawful use of that visa, for five years). The impacts of this approach fall between the intermediate and the maximum option identified in the IA, probably closer to the impacts of the maximum option as far as the economic impacts are concerned

P48: COM_2014_164_EN_ACTE_f.pdf - 48:9 [? Regulation (EC) No 810/2009 ..] (20:747-20:1224) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

⊗ Regulation (EC) No 810/2009 aims, inter alia, to ⊗ 'further development of the common visa policy as part of a multi-layer system aimed at facilitating ⊗ in order to facilitate ⊗ legitimate travel and tackling illegal ⊗ tackle irregular ⊗ immigration through further harmonisation of national legislation and handling practices at local consular missions', as defined in the Hague Programme: strengthening freedom, security and justice in the European Union

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P48: COM_2014_164_EN_ACTE_f.pdf - 48:10 [(6) A smart visa policy should..] (20:1991-20:2375) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(6) A smart visa policy should entail continued security at the external borders whilst ensuring the effective functioning of the Schengen area and facilitating travel opportunities for legitimate travel. The common visa policy should contribute to generating growth and be coherent with other Union policies, such as external relations, trade, education, culture and tourism.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:11 [(10) It should be presumed tha..] (21:621-21:1084) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(10) It should be presumed that applicants who are registered in VIS and have obtained and lawfully used two visas within the 12 months prior to the application fulfil the entry conditions regarding the risk of irregular immigration and the need to possess sufficient means of subsistence. However, this presumption should be rebuttable where the competent authorities establish that one or more of these conditions are not fulfilled in individual cases.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:12 [(12) It is necessary to set ou..] (21:1418-21:2656) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(12) It is necessary to set out rules on the transit through international areas of airports in order to combat illegal & irregular & immigration. & To this end & Thus nationals from a common list of third countries & the nationals of which & should be required to hold airport transit visas & should be established & . Nevertheless, in urgent cases of mass & when a Member State experiences a sudden and substantial & influx of illegal & irregular & immigrants, Member States & it & should be allowed to impose such a & be able to introduce temporarily the airport transit visa & requirement on & for & nationals of & a given & third countries & country & other than those listed in the common list. Member States' individual decisions should be reviewed on an annual basis. & The conditions and procedures for doing so should be laid down, in order to ensure that the application of this measure is limited in time and that in accordance with the principle of proportionality, it does not go beyond what is necessary in order to achieve the objective. The scope of the airport transit visa requirement should be limited to responding to the specific situation that prompted the introduction of the measure. &

P48: COM_2014_164_EN_ACTE_f.pdf - 48:14 [(40) Local Schengen cooperatio..] (26:50-26:593) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?]

No memos

(40) Local Schengen cooperation is crucial for the harmonised application of the common visa policy and for proper assessment of migratory and/or security risks. Given the differences in local circumstances, the operational application of particular & specific & legislative provisions should be assessed among Member States' diplomatic missions and consular posts in individual locations in order to ensure a harmonised application of the legislative provisions to prevent visa shopping and different treatment of visa applicants.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:15 [3. In urgent cases of mass ? W..] (33:1528-33:1896) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

3. In urgent cases of mass ☒ Where there is a sudden and substantial☒ influx of illegal
☒ irregular ☒ immigrants, individual ☒ a ☒ Member States may require nationals of
third countries other than those referred to in paragraph 1 to hold an airport transit visa when
passing through the international transit areas of airports situated on their ☒ its ☒ territory.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:16 [4. Where a Member State plans ..] (34:239-34:695) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

4. Where a Member State plans to introduce the airport transit visa requirement in accordance
with paragraph 3, it shall as soon as possible notify the Commission, and shall provide the
following information:

- (a) the reason for the planned airport transit visa requirement, substantiating the sudden
and substantial influx of irregular immigrants;
- (b) the scope and duration of the planned introduction of the airport transit visa
requirement.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:17 [6. The Member State may prolong..] (34:832-34:1073) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

6. The Member State may prolong the application of the airport transit visa requirement only
once where the lifting of the requirement would lead to a substantial influx of irregular
migrants. Paragraph 3 shall apply to such prolongation.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:18 [58. The following categories o..] (34:1699-35:1156) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

58. The following categories of persons shall be exempt from the requirement to hold an
airport transit visa provided for in paragraphs 1 and 3:

- (a) holders of a valid uniform visa, Ö touring visa, ⇐ national long-stay visa or

residence permit issued by a Member State;

Ø 154/2012 Art. 1 (adapted)

Ö new

(b) third-country nationals holding a valid residence permit issued by a Member State which does not take part in the adoption of this Regulation or by a Member State which does not yet apply the provisions of the Schengen acquis in full, or thirdcountry nationals holding one of the valid residence permits listed in Annex V IV

issued by Andorra, Canada, Japan, San Marino or the United States of America guaranteeing the holder's unconditional readmission Ö , or holding a residence EN 35 EN permit for the Caribbean parts of the Kingdom of the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba) ⇐;

(c) third-country nationals holding a valid visa for a Member State which does not take part in the adoption of this Regulation, ☒ or ☒ for a Member State which does not yet apply the provisions of the Schengen acquis in full, Ö or for a country party to the Agreement on the European Economic Area, ⇐ or for Canada, Japan or the United States of America, Ö or holders of a valid visa for ⇐ the Caribbean parts of the Kingdom of Ö the Netherlands (Aruba, Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba), ⇐ when travelling to the issuing country or to any other third country, or when, having used the visa, returning from the issuing country;

Ø 810/2009

Ö new

(d) family members of citizens of the Union as referred to in Article 1(2)(a)Ö 3 of Directive 2004/38/EC ⇐;

(e) holders of diplomatic Ö , service, official or special ⇐ passports;

(f) flight crew members who are nationals of a contracting Party to the Chicago Convention on International Civil Aviation

P48: COM_2014_164_EN_ACTE_f.pdf - 48:19 [Article 15 Travel medical insu..] (44:47-44:2276) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Article 15

Travel medical insurance

1. Applicants for a uniform visa for one or two entries shall prove that they are in possession of adequate and valid travel medical insurance to cover any expenses which might arise in connection with repatriation for medical reasons, urgent medical attention and/or emergency hospital treatment or death, during their stay(s) on the territory of the Member States.
2. Applicants for a uniform visa for more than two entries (multiple entries) shall prove that they are in possession of adequate and valid travel medical insurance covering the period of

their first intended visit.

In addition, such applicants shall sign the statement, set out in the application form, declaring that they are aware of the need to be in possession of travel medical insurance for subsequent stays.

3. The insurance shall be valid throughout the territory of the Member States and cover the entire period of the person's intended stay or transit. The minimum coverage shall be EUR 30000.

When a visa with limited territorial validity covering the territory of more than one Member State is issued, the insurance cover shall be valid at least in the Member States concerned.

4. Applicants shall, in principle, take out insurance in their country of residence. Where this is not possible, they shall seek to obtain insurance in any other country.

When another person takes out insurance in the name of the applicant, the conditions set out in paragraph 3 shall apply.

5. When assessing whether the insurance cover is adequate, consulates shall ascertain whether claims against the insurance company would be recoverable in a Member State.

6. The insurance requirement may be considered to have been met where it is established that an adequate level of insurance may be presumed in the light of the applicant's professional situation. The exemption from presenting proof of travel medical insurance may concern particular professional groups, such as seafarers, who are already covered by travel medical insurance as a result of their professional activities.

7. Holders of diplomatic passports shall be exempt from the requirement to hold travel medical insurance

P48: COM_2014_164_EN_ACTE_f.pdf - 48:20 [1. In the examination of an ap..] (47:1764-47:2313) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code ☒ Regulation (EC) No 562/2006 ☒ , and particular consideration shall be given to assessing whether the applicant presents a risk of illegal ☒ irregular ☒ immigration or a risk to the security of the Member States and whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for

P48: COM_2014_164_EN_ACTE_f.pdf - 48:21 [2. In the examination of an ap..] (47:2326-47:2705) (Super)

Codes: [Does the text represent or advocate a message?]
No memos

2. In the examination of an application for a uniform visa lodged by a VIS registered regular traveller who has lawfully used the two previously obtained visas, it shall be presumed that the applicant fulfils the entry conditions regarding the risk of irregular immigration, a risk to the security of the Member States, and the possession of sufficient means of subsistence.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:22 [3. The presumption referred to..] (48:16-48:400) (Super)

Codes: [Does the text represent or advocate a message?]
No memos

3. The presumption referred to in paragraph 2 shall not apply where the consulate has reasonable doubts about the fulfilment of these entry conditions based on information stored in the VIS, such as decisions annulling a previous visa, or in the passport, such as entry and exit stamps. In such cases, the consulates may carry out an interview and request additional documents

P48: COM_2014_164_EN_ACTE_f.pdf - 48:23 [35. ? Without prejudice to par..] (48:787-48:1948) (Super)

Codes: [Does the text represent or advocate a message?]
No memos

35. ☒ Without prejudice to paragraph 2, ☒ Wwhile checking whether the applicant fulfils the entry conditions, the consulate shall verify:

- (a) that the travel document presented is not false, counterfeit or forged;
 - (b) the applicant's justification for the purpose and conditions of the intended stay, and that he has sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is in a position to acquire such means lawfully;
 - (c) whether the applicant is a person for whom an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry;
 - (d) that the applicant is not considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code
- ☒ Regulation (EC) No 562/2006 ☒ or to the international relations of any of the

Member States, in particular where no alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds;

P48: COM_2014_164_EN_ACTE_f.pdf - 48:24 [(2) insufficient geographical ..] (4:2095-4:4054) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(2) insufficient geographical coverage in visa processing.

The minimum policy option assessed for this problem area was to repeal Article 41 of the Visa Code (co-location, Common Application Centres (CAC)) and to introduce a general notion/concept of 'Schengen Visa Centre' which would provide a more realistic, more flexible definition with regard to certain forms of consular cooperation. The intermediate option in addition to the 'Schengen Visa Centres' was introducing the concept of 'mandatory representation' according to which, if the Member State competent to process the visa application is neither present nor represented (under such an arrangement) in a given third country any other Member State present in that country would be obliged to process visa applications on their behalf. Finally, as a maximum option, in order to ensure adequate visa collecting/processing coverage, Commission implementing decisions could lay down what the Schengen visa collecting network in third countries should look like in terms of representation arrangements, cooperation with external service providers and pooling of resources by other means.

The IA noted that the maximum policy option could have the most positive impacts in terms of rationalising the visa collecting/processing presence and could offer important advantages for visa applicants and significant efficiency gains for consulates. However its feasibility appears low. Based on the impact assessment, the intermediate option was preferred. The IA points out that 'mandatory representation' would secure consular coverage in any third country where there is at least one consulate present to process visa applications. This could have a positive impact on some 100 000 applicants who would be able to lodge the application in their country of residence instead of travelling to a country where the competent Member State is present or represented.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:25 [The economic impacts of all th..] (5:15-5:1394) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

The economic impacts of all the policy options were considered fairly modest. In fact due to

the very nature of the problem, the policy options were not aimed at generating economic growth in the first place, but providing a better service for visa applicants and providing a good legal framework for Member States to rationalise their resources. The financial impacts of 'mandatory representation' were considered not to be significant because, in principle, if a high number of visa applications is addressed to a Member State in a given third country that state will, in principle, already have ensured consular presence by being present or represented. Moreover the visa fee, in principle, covers the average cost of processing. The non-regulatory policy options were considered to have very little positive impact on addressing the problems or achieving the policy objectives, so they were not considered very effective.

The evaluation report suggests, and this proposal deals with a number of other (mostly quite technical) issues. The IA did not cover those issues because the changes envisaged were not considered to have substantial and/or measurable budgetary, social, or economic implications; most of the proposed changes are intended to clarify or adjust/complement certain provisions of the Visa Code without altering their substance.

P49: COM_2014_165_NL_ACTE_f.pdf - 49:1 [De Visumcode had onder meer to..] (3:1152-3:1727) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

De Visumcode had onder meer tot doel het rechtskader samen te voegen en daarmee te vereenvoudigen. Daarnaast werd beoogd legaal reizen te bevorderen en onregelmatige immigratie te bestrijden door verdere harmonisatie van de manier waarop de plaatselijke consulaire vertegenwoordigingen van de lidstaten visumaanvragen behandelen. Legaal reizen diende onder andere te worden bevorderd, omdat ervan werd uitgegaan dat frequente en regelmatige reizigers die bekend zijn bij de consulaten, sneller een visum dienden te kunnen krijgen dan onbekende, eerste aanvragers.

P49: COM_2014_165_NL_ACTE_f.pdf - 49:2 [Sedert de vaststelling van de ..] (3:2101-3:3093) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Sedert de vaststelling van de Visumcode is in politieke kringen het besef gegroeid dat het gemakkelijker moet worden gemaakt om in een veilige omgeving naar Europa te reizen. Hiertoe voert de EU momenteel dialogen over visumliberalisering met een aantal partnerlanden en de komende jaren zullen er waarschijnlijk nog meer van dergelijke

gesprekken volgen. Voorts heeft de EU negen visumversoepelingsovereenkomsten gesloten met partnerlanden

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. Het sluiten van deze overeenkomsten kan worden beschouwd als een eerste stap op weg naar visumliberalisering en toont aan hoeveel belang de EU hecht aan het bevorderen van de mobiliteit en het vereenvoudigen van het reizen naar Europa voor meer onderdanen van derde landen. De EU heeft er belang bij dat bezoekers met open armen worden ontvangen, want reizigers dragen bij aan de economische groei. Bovendien zijn contacten tussen volkeren en culturen bevorderlijk voor het wederzijds begrip en de interculturele dialoog.

P49: COM_2014_165_NL_ACTE f.pdf - 49:3 [3.1. Algemene overwegingen Hoe..] (7:178-7:1628) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

3.1. Algemene overwegingen

Hoewel het niet mogelijk is om aan te tonen dat de Visumcode rechtstreeks van invloed was op het aantal visa voor kort verblijf dat in de periode 2010–2012 werd aangevraagd en afgegeven, heeft verduidelijking van het rechtskader bijgedragen tot een aanzienlijke stijging van het aantal visumaanvragen. Tussen 2009 en 2012 nam het totale aantal aanvragen met 48 % toe, een jaarlijkse stijging van ca. 15 %. Op een paar uitzonderingen na

12

is het aantal

visumaanvragen dat jaarlijks wordt verwerkt, in alle lidstaten toegenomen. Tegelijkertijd is het totale afwijzingspercentage geslonken

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, hoewel er grote verschillen zijn tussen de verschillende regio's van de wereld

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In het algemeen wordt ervan uitgegaan dat de algemene doelstelling om de onregelmatige immigratie aan te pakken, is gehaald. Noch de onderzoeksresultaten noch de uitkomsten van de openbare raadpleging wijzen op veiligheidsrisico's of -problemen als gevolg van de Visumcode of de toepassing daarvan. Vanuit de lidstaten worden deze evenmin gemeld. Uiteraard dient een hoog niveau van veiligheid te worden gehandhaafd wanneer nieuwe versoepelingen voor legale reizigers worden voorgesteld. Ook dient er rekening mee te

worden gehouden dat de veiligheid toeneemt als gevolg van de invoering van het VIS (Visuminformatiesysteem), die in oktober 2011 is begonnen en in de loop van 2015 moet zijn afgerond.

P50: Toekomst visie EP visumbeleid.pdf - 50:4 [A. whereas the common visa pol..] (2:1503-2:1640) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

A. whereas the common visa policy constitutes a necessary corollary to the lifting of internal border controls within the Schengen area;

P50: Toekomst visie EP visumbeleid.pdf - 50:5 [3. Considers that in many thir..] (3:1544-3:1645) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

3. Considers that in many third countries the current consular coverage is clearly not satisfactory;

P50: Toekomst visie EP visumbeleid.pdf - 50:6 [5. Regrets the fact that the C..] (3:1778-3:2173) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

5. Regrets the fact that the Commission has not presented a study on the possibility of establishing 'a common European issuing mechanism for short term visas', including an examination of 'to what degree an assessment of individual risk could supplement the presumption of risk associated with the applicant's nationality', as it was invited to do in the Stockholm Programme (point 5.2);

P50: Toekomst visie EP visumbeleid.pdf - 50:7 [13. Welcomes the updating of t..] (4:1009-4:1250) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

13. Welcomes the updating of the visa exemption criteria to include considerations of fundamental rights but also economic benefits, in particular in terms of tourism and

foreign trade, and their inclusion in an article of the regulation;

P50: Toekomst visie EP visumbeleid.pdf - 50:8 [7. Calls on the Member States ..] (3:2362-3:2631) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

7. Calls on the Member States to make use of the current provisions of the Visa Code and the Schengen Borders Code allowing the issuing of humanitarian visas, and to facilitate the provision of temporary shelter for human rights defenders at risk in third countries;

P50: Toekomst visie EP visumbeleid.pdf - 50:9 [on the possibility of establis..] (3:1844-3:2106) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

on the possibility of
establishing 'a common European issuing mechanism for short term visas', including an examination of 'to what degree an assessment of individual risk could supplement the presumption of risk associated with the applicant's nationality'

P51: Visumbrief tweede kamer okt 2011.pdf - 51:4 [Het doel van het visumbeleid i..] (3:2490-3:2796) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Het doel van het visumbeleid is het reguleren en controleren van de toegang van vreemdelingen tot het Schengengrondgebied, meer in het bijzonder tot dat van Nederland. De visumplicht staat hiermee in directe relatie tot onze nationale veiligheid, openbare orde en de (illegale) migratieproblematiek.

P51: Visumbrief tweede kamer okt 2011.pdf - 51:5 [Tegelijkertijd is het kabinet ..] (3:2798-3:3141) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Tegelijkertijd is het kabinet zich bewust van de

politieke en economische aspecten van het visumbeleid. Bij de bevordering van economische contacten met derde landen hoort een adequate dienstverlening. Zakelijk verkeer is gebaat bij zo min mogelijk obstakels op het gebied van mobiliteit. Dit is in het directe belang van onze economie.

P51: Visumbrief tweede kamer okt 2011.pdf - 51:6 [Visumliberalisatie Voor een gr..] (6:1682-7:750) (Super)

Codes: [Does the text represent or advocate a message?]

No memos

Visumliberalisatie

Voor een groot aantal landen is op basis van Europese Verordening 539/2001

1

de visumplicht in zijn geheel afgeschaft. Deze landen zijn toegevoegd aan de aan de Verordening gehechte lijst van landen van wie de onderdanen die in het bezit zijn van een biometrisch paspoort zonder visum voor kort verblijf naar het Schengengebied kunnen reizen («witte lijst»). Op dit moment zijn 39 landen en 4 speciale entiteiten of deelgebieden toegevoegd aan deze lijst (bijlage II).

Het afschaffen van de visumplicht kan voor de EU en Nederland gevolgen hebben op het terrein van illegale migratie, nationale veiligheid en openbare orde. Het kabinet geeft zich er rekenschap van dat afschaffing van de visumplicht ertoe kan leiden dat sommige derdelanders die visumvrij naar Europa en Nederland reizen ook tijdens hun tijdelijke verblijf gebruik zullen maken van openbare voorzieningen, hetgeen in uitzonderlijke gevallen kan leiden tot hogere uitgaven voor de Nederlandse overheid. Dit aspect zal het kabinet uitdrukkelijk meewegen in zijn standpuntbepaling.

Voordat tot visumliberalisatie kan worden overgaan, moet dan ook duidelijk zijn dat geen sprake is van onaanvaardbare risico's op die gebieden. Dat geldt bij de naaste burens van de Unie in het bijzonder, juist vanwege de gedeelde buitengrenzen. Juist daarom acht het kabinet het van belang dat de politieke afspraken die met deze landen zijn gemaakt in het kader van het Nabuurschap- of Uitbreidingsbeleid worden vertaald in concrete actieplannen om deze mogelijke negatieve gevolgen te minimaliseren. Zo moet het risico van illegale immigratie worden ingedamd door duidelijke afspraken te maken over terugkeer van illegaal in de EU verblijvende vreemdelingen, vastgelegd in een terug- en overnameovereenkomst. Visumliberalisatie wordt dus alleen verleend als deze landen onomstotelijk hebben aangetoond de vereiste maatregelen te hebben

ingevoerd en structureel naleven. Er wordt dus een stevige resultaatsverplichting gelegd bij de landen die hiervoor in aanmerking willen komen

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In de recente praktijk rond de landen van de Westelijke Balkan en de Oostelijke Partnerschapslanden Oekraïne en Moldavië, zijn de eisen waar landen aan moeten voldoen voordat zij in aanmerking kunnen komen

1

VERORDENING (EG) Nr. 539/2001 VAN DE
RAAD van 15 maart 2001 tot vaststelling van
de lijst van derde landen waarvan de
onderdanen bij overschrijding van de
buitengrenzen in het bezit moeten zijn van een
visum en de lijst van derde landen waarvan de
onderdanen van die plicht zijn vrijgesteld.

2

Op grond van het EU-werkingsverdrag kan,
als de lidstaten daar geen risico's in zien, ook
zonder een actieplan via de reguliere
wetgevingsprocedure worden besloten tot het
verlenen van visumliberalisatie (bijvoorbeeld
in het recente geval van visumliberalisatie
voor Taiwan).

Tweede Kamer, vergaderjaar 2011–2012, 21 501-02, nr. 1096 6voor visumliberalisatie vastgelegd in een visumactieplan. Voortgang
wordt gemonitord door de Commissie. Deze actieplannen bestaan uit vier
hoofdstukken met specifieke voorwaarden:

1. Documentveiligheid, inclusief biometrie (o.a. biometrische paspoorten volgens internationale standaarden; beveiliging van gegevens; corruptiebestrijding paspoortuitgifte);
2. Illegale migratie, inclusief terug- en overname (o.a. grensbewaking; migratiebeleid en implementatie; asielwetgeving);
3. Openbare orde en nationale veiligheid (o.a. strijd tegen georganiseerde misdaad en terrorisme; aanpak van corruptie; juridische samenwerking);
4. Externe betrekkingen en fundamentele vrijheden (o.a. bescherming van minderheden; mensenrechtenstandaarden).

Results for question:

“What social language is enacted in the text? Whose interests are represented in the discourse?”

Report: 56 quotation(s) for 1 code

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File: [\\CNAS.RU.NL\4043227\Documents\Master Thesis Atlas.hpr7](#)

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Date/Time: 2015-08-25 14:09:40

Mode: quotation list names and references

Quotation-Filter: All

What social language is enacted in the text? Whose interests are represented in the discourse?

P 2: Regulation No539-2001.pdf - 2:14 [This Regulation provides for f..] (4:415-4:662) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

This Regulation provides for full harmonisation as regards the third countries whose nationals are subject to the visa requirement for the crossing of Member States' external borders and those whose nationals are exempt from that requirement,

P 2: Regulation No539-2001.pdf - 2:31 [2. A Member State may exempt f..] (7:131-7:978) (Super)

Codes: [Does the text represent or advocate a message?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

2. A Member State may exempt from the visa requirement:

(a) a school pupil having the nationality of a third country listed in

Annex I who resides in a third country listed in Annex II or in Switzerland and Liechtenstein and is travelling in the context of a school excursion as a member of a group of school pupils accompanied by a teacher from the school in question;
 (b) recognised refugees and stateless persons if the third country where they reside and which issued their travel document is one of the third countries listed in Annex II;
 (c) members of the armed forces travelling on NATO or Partnership for Peace business and holders of identification and movement orders provided for by the Agreement of 19 June 1951 between the Parties to the North Atlantic Treaty Organisation regarding the status of their forces.

P 2: Regulation No539-2001.pdf - 2:36 [COUNCIL REGULATION (EC) No 539..] (2:1-2:522) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

COUNCIL REGULATION (EC) No 539/2001
 of 15 March 2001

listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62, point (2)(b)(i) thereof,

Having regard to the proposal from the Commission (

1

),

Having regard to the opinion of the European Parliament (

2

),

Whereas:

P 2: Regulation No539-2001.pdf - 2:37 [As regards stateless persons a..] (3:1391-3:2232) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

As regards stateless persons and recognised refugees, without prejudice to obligations under international agreements signed by the Member States and in particular the European Agreement on the Abolition of Visas for Refugees, signed at Strasbourg on 20 April 1959, the decision as to the visa requirement or exemption should be based on the third country in which these persons reside and which issued their travel documents. However, given the differences in the national legislation applicable to stateless persons and to recognised refugees, Member States may decide whether these categories of persons shall be subject to the visa requirement, where the third country in which these persons reside and which issued their travel documents is a third country whose nationals are exempt from the visa requirement.

P 2: Regulation No539-2001.pdf - 2:38 [In specific cases where specia..] (3:2239-3:2458) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

In specific cases where special visa rules are warranted, Member States may exempt certain categories of persons from the visa requirement or impose it on them in accordance with public international law or custom.

P 2: Regulation No539-2001.pdf - 2:39 [With a view to ensuring that t..] (3:2465-3:2839) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

With a view to ensuring that the system is administered openly and that the persons concerned are informed, Member States should communicate to the other Member States and to the Commission the measures which they take pursuant to this Regulation. For the same reasons, that information should also be

published in the Official Journal of the European Communities.

P 2: Regulation No539-2001.pdf - 2:40 [In accordance with the princip..] (4:6-4:401) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

In accordance with the principle of proportionality stated in Article 5 of the Treaty, enacting a Regulation listing the third countries whose nationals must be in possession of visas when crossing the external borders, and those whose nationals are exempt from that requirement, is both a necessary and an appropriate means of ensuring that the common visa rules operate efficiently

P 2: Regulation No539-2001.pdf - 2:47 [Article 5 1. Within 10 working..] (7:1176-7:1674) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Article 5

1. Within 10 working days of the entry into force of this Regulation, Member States shall communicate to the other Member States and the Commission the measures they have taken pursuant to Article 3, second indent and Article 4. Any further changes to those measures shall be similarly communicated within five working days.

2. The Commission shall publish the measures communicated pursuant to paragraph 1 in the Official Journal of the European Communities for information.

P 2: Regulation No539-2001.pdf - 2:48 [Article 8 This Regulation shal..] (8:791-8:1114) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Article 8

This Regulation shall enter into force on the 20th day following that of

its publication in the Official Journal of the European Communities.

▼B

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaty establishing the European Community.

P 2: Regulation No539-2001.pdf - 2:49 [(1) Under Article 62, point (2..] (2:525-2:1070) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(1) Under Article 62, point (2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

P 2: Regulation No539-2001.pdf - 2:51 [3. A Member State may provide ..] (7:985-7:1173) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

3. A Member State may provide for exceptions from the exemption from the visa requirement provided for in Article 1(2) as regards persons carrying out a paid activity during their stay.

P 2: Regulation No539-2001.pdf - 2:59 [THE COUNCIL OF THE EUROPEAN UN..] (2:230-2:522) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and
in particular Article 62, point (2)(b)(i) thereof,

Having regard to the proposal from the Commission (

1

),

Having regard to the opinion of the European Parliament (

2

),

Whereas:

P 2: Regulation No539-2001.pdf - 2:60 [(2) This Regulation follows on..] (2:1073-2:1719) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(2) This Regulation follows on from the Schengen acquis in
accordance with the Protocol integrating it into the framework
of the European Union, hereinafter referred to as the 'Schengen
Protocol'. It does not affect Member States' obligations deriving
from the acquis as defined in Annex A to Decision 1999/435/EC
of 20 May 1999 concerning the definition of the Schengen acquis
for the purpose of determining, in conformity with the relevant
provisions of the Treaty establishing the European Community
and the Treaty on European Union, the legal basis for each of the
provisions or decisions which constitute the acquis (

3

).

P 2: Regulation No539-2001.pdf - 2:61 [(4) Pursuant to Article 1 of t..] (3:1-3:453) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(4) Pursuant to Article 1 of the Protocol on the position of the United
Kingdom and Ireland annexed to the Treaty on European Union
and to the Treaty establishing the European Community, Ireland
and the United Kingdom are not participating in the adoption of
this Regulation. Consequently and without prejudice to Article 4

of the aforementioned Protocol, the provisions of this Regulation apply neither to Ireland nor to the United Kingdom.

P 2: Regulation No539-2001.pdf - 2:62 [1. A Member State may provide ..] (6:1450-7:117) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

1. A Member State may provide for exceptions from the visa requirement provided for by Article 1(1) or from the exemption from the visa requirement provided for by Article 1(2) as regards:

▼M5

▼C1

(a) holders of diplomatic passports, service/official passports or special passports in accordance with one of the procedures laid down in Articles 1(1) and 2(1) of Regulation (EC) No 789/2001 of 24 April 2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for examining visa applications (

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).

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(b) civilian air and sea crew;

(c) the flight crew and attendants on emergency or rescue flights and other helpers in the event of disaster or accident;

(d) the civilian crew of ships navigating in international waters;

▼M3

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) OJ L 116, 26.4.2001, p. 2. Regulation as amended by Decision 2004/927/EC

(OJ L 396, 31.12.2004, p. 45).(e) the holders of laissez-passer issued by some intergovernmental international organisations to their officials.

P 2: Regulation No539-2001.pdf - 2:63 [This Regulation shall not affe..] (7:1688-7:1892) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

This Regulation shall not affect the competence of Member States with regard to the recognition of States and territorial units and passports, travel and identity documents issued by their authorities.

P 4: EU Visa Code, consolidated version.pdf - 4:2 [As regards visa policy, the es..] (2:988-2:1711) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [How is the text situated in broader society?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

As regards visa policy, the establishment of a 'common corpus' of legislation, particularly via the consolidation and development of the *acquis* (the relevant provisions of the Convention implementing the Schengen Agreement of 14 June 1985 (

2

) and the

Common Consular Instructions (

3

), is one of the fundamental

components of 'further development of the common visa policy

as part of a multi-layer system aimed at facilitating legitimate

travel and tackling illegal immigration through further harmon

isation of national legislation and handling practices at local

consular missions', as defined in the Hague Programme:

strengthening freedom, security and justice in the European

Union (

4

).

P 4: EU Visa Code, consolidated version.pdf - 4:36 [Refusal of a visa 1. Without p..] (26:1005-27:1278) (Super)

Codes: [What messages does the text communicate in terms of institutional and social conventions?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Refusal of a visa

1. Without prejudice to Article 25(1), a visa shall be refused:

- (a) if the applicant:
- (i) presents a travel document which is false, counterfeit or forged;
 - (ii) does not provide justification for the purpose and conditions of the intended stay;
 - (iii) does not provide proof of sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is not in a position to acquire such means lawfully;
 - (iv) has already stayed for three months during the current six-month period on the territory of the Member States on the basis of a uniform visa or a visa with limited territorial validity;
 - (v) is a person for whom an alert has been issued in the SIS for the purpose of refusing entry;
 - (vi) is considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where an alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds; or

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 26(vii) does not provide proof of holding adequate and valid travel medical insurance, where applicable;

or

- (b) if there are reasonable doubts as to the authenticity of the supporting documents submitted by the applicant or the veracity of their contents, the reliability of the statements made by the applicant or his intention to leave the territory of the Member States before the expiry of the visa applied for.

2. A decision on refusal and the reasons on which it is based shall be notified to the applicant by means of the standard form set out in Annex VI.

3. Applicants who have been refused a visa shall have the right to appeal. Appeals shall be conducted against the Member State that has taken the final decision on the application and in accordance with the

national law of that Member State. Member States shall provide applicants with information regarding the procedure to be followed in the event of an appeal, as specified in Annex VI.

4. In the cases referred to in Article 8(2), the consulate of the representing Member State shall inform the applicant of the decision taken by the represented Member State.

5. Information on a refused visa shall be entered into the VIS in accordance with Article 12 of the VIS Regulation.

P 4: EU Visa Code, consolidated version.pdf - 4:39 [Member States should be presen..] (2:1718-2:2141) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Member States should be present or represented for visa purposes in all third countries whose nationals are subject to visa requirements. Member States lacking their own consulate in a given third country or in a certain part of a given third country should endeavour to conclude representation arrangements in order to avoid a disproportionate effort on the part of visa applicants to have access to consulates.

P 4: EU Visa Code, consolidated version.pdf - 4:40 [It is necessary to set out rul..] (3:5-3:530) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

It is necessary to set out rules on the transit through international areas of airports in order to combat illegal immigration. Thus nationals from a common list of third countries should be required to hold airport transit visas. Nevertheless, in urgent cases of mass influx of illegal immigrants, Member States should be allowed to impose such a requirement on nationals of third countries other than those listed in the common list. Member States' individual decisions should be reviewed on an

annual basis.

P 4: EU Visa Code, consolidated version.pdf - 4:42 [Member States should ensure th..] (3:781-3:1187) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Member States should ensure that the quality of the service offered to the public is of a high standard and follows good administrative practices. They should allocate appropriate numbers of trained staff as well as sufficient resources in order to facilitate as much as possible the visa application process. Member States should ensure that a 'one-stop' principle is applied to all applicants.

P 4: EU Visa Code, consolidated version.pdf - 4:74 [REGULATION (EC) No 810/2009 OF..] (2:1-2:488) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

REGULATION (EC) No 810/2009 OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL

of 13 July 2009

establishing a Community Code on Visas

(Visa Code)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and
in particular Article 62(2)(a) and (b)(ii) thereof,

Having regard to the proposal from the Commission,

Acting in accordance with the procedure laid down in Article 251 of the
Treaty (

1

),

Whereas:

P 4: EU Visa Code, consolidated version.pdf - 4:75 [(1) In accordance with Article..] (2:491-2:701) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(1) In accordance with Article 61 of the Treaty, the creation of an area in which persons may move freely should be accompanied by measures with respect to external border controls, asylum and immigration.

P 4: EU Visa Code, consolidated version.pdf - 4:84 [Since the objective of this Re..] (5:2033-5:2695) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Since the objective of this Regulation, namely the establishment of the procedures and conditions for issuing visas for transit through or intended stays in the territory of the Member States not exceeding three months in any six-month period, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

P 4: EU Visa Code, consolidated version.pdf - 4:85 [This Regulation respects funda..] (5:2703-5:2968) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

This Regulation respects fundamental rights and observes the principles recognised in particular by the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms and by the Charter of Fundamental Rights of the European Union.

P 4: EU Visa Code, consolidated version.pdf - 4:92 [1. Applicants for a uniform vi..] (17:39-17:414) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

1. Applicants for a uniform visa for one or two entries shall prove that they are in possession of adequate and valid travel medical insurance to cover any expenses which might arise in connection with repatriation for medical reasons, urgent medical attention and/or emergency hospital treatment or death, during their stay(s) on the territory of the Member States.

P 4: EU Visa Code, consolidated version.pdf - 4:101 [(3) As regards visa policy, th..] (2:984-2:1711) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(3) As regards visa policy, the establishment of a 'common corpus' of legislation, particularly via the consolidation and development of the *acquis* (the relevant provisions of the Convention implementing the Schengen Agreement of 14 June 1985 (

2

) and the

Common Consular Instructions (

3

), is one of the fundamental components of 'further development of the common visa policy as part of a multi-layer system aimed at facilitating legitimate travel and tackling illegal immigration through further harmonisation of national legislation and handling practices at local consular missions', as defined in the Hague Programme: strengthening freedom, security and justice in the European Union (

4

).

P 4: EU Visa Code, consolidated version.pdf - 4:102 [(5) It is necessary to set out..] (3:1-3:530) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]
No memos

(5) It is necessary to set out rules on the transit through international areas of airports in order to combat illegal immigration. Thus nationals from a common list of third countries should be required to hold airport transit visas. Nevertheless, in urgent cases of mass influx of illegal immigrants, Member States should be allowed to impose such a requirement on nationals of third countries other than those listed in the common list. Member States' individual decisions should be reviewed on an annual basis.

P 4: EU Visa Code, consolidated version.pdf - 4:106 [2. In urgent cases of mass inf..] (9:336-9:793) (Super)

Codes: [Does the text represent or advocate a message?] [What messages does the text communicate in terms of institutional and social conventions?] [What social language is enacted in the text? Whose interests are represented in the discourse?]
No memos

2. In urgent cases of mass influx of illegal immigrants, individual Member States may require nationals of third countries other than those referred to in paragraph 1 to hold an airport transit visa when passing through the international transit areas of airports situated on their territory. Member States shall notify the Commission of such decisions before their entry into force and of withdrawals of such an airport transit visa requirement.

P 4: EU Visa Code, consolidated version.pdf - 4:113 [THE EUROPEAN PARLIAMENT AND TH..] (2:148-2:488) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]
No memos

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,
Having regard to the Treaty establishing the European Community, and
in particular Article 62(2)(a) and (b)(ii) thereof,
Having regard to the proposal from the Commission,
Acting in accordance with the procedure laid down in Article 251 of the

Treaty (

1

),

Whereas:

P 4: EU Visa Code, consolidated version.pdf - 4:114 [(6) The reception arrangements..] (3:533-3:774) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(6) The reception arrangements for applicants should be made with due respect for human dignity. Processing of visa applications should be conducted in a professional and respectful manner and be proportionate to the objectives pursued.

P 4: EU Visa Code, consolidated version.pdf - 4:115 [(7) Member States should ensur..] (3:777-3:1187) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(7) Member States should ensure that the quality of the service offered to the public is of a high standard and follows good administrative practices. They should allocate appropriate numbers of trained staff as well as sufficient resources in order to facilitate as much as possible the visa application process. Member States should ensure that a 'one-stop' principle is applied to all applicants.

P 4: EU Visa Code, consolidated version.pdf - 4:116 [(33) An arrangement should be ..] (6:1237-7:1195) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(33) An arrangement should be made to allow representatives of Iceland and Norway to be associated with the work of committees assisting the Commission in the exercise of its implementing powers under this Regulation. Such an arrangement has been contemplated in the Exchange of Letters between the

Council of the European Union and Iceland and Norway
concerning committees which assist the European Commission
in the exercise of its executive powers (

3

), annexed to the above
mentioned Agreement. The Commission has submitted to the
Council a draft recommendation with a view to negotiating this
arrangement.

(34) As regards Switzerland, this Regulation constitutes a development
of the provisions of the Schengen acquis within the meaning of
the Agreement between the European Union, the European
Community and the Swiss Confederation on the Swiss Confed
eration's association with the implementation, application and
development of the Schengen acquis (

4

), which fall within the
area referred to in Article 1, point B, of Decision 1999/437/EC
read in conjunction with Article 3 of Council Decision
2008/146/EC (

5

) on the conclusion of that Agreement.

(35) As regards Liechtenstein, this Regulation constitutes a devel
opment of provisions of the Schengen acquis within the
meaning of the Protocol signed between the European Union,
the European Community, the Swiss Confederation and the Prin
cipality of Liechtenstein on the accession of the Principality of
Liechtenstein to the Agreement concluded between the European
Union, the European Community and the Swiss Confederation on
the Swiss Confederation's association with the implementation,
application and development of the Schengen acquis, which fall
within the area referred to in Article 1, point B, of Decision
1999/437/EC read in conjunction with Article 3 of Council
Decision 2008/261/EC (

6

) on the signing of that Protocol.

▼B

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) OJ L 176, 10.7.1999, p. 36.

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) OJ L 176, 10.7.1999, p. 31.

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) OJ L 176, 10.7.1999, p. 53.

(

4

) OJ L 53, 27.2.2008, p. 52.

(

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) OJ L 53, 27.2.2008, p. 1.

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6

) OJ L 83, 26.3.2008, p. 3.(36) This Regulation constitutes a development of the provisions of the Schengen acquis in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis (

1

). The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.

(37) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (

2

). Ireland is therefore not taking part in the adoption of the Regulation and is not bound by it or subject to its application.

(38) This Regulation, with the exception of Article 3, constitutes

provisions building on the Schengen acquis or otherwise relating to it within the meaning of Article 3(2) of the 2003 Act of Accession and within the meaning of Article 4(2) of the 2005 Act of Accession,

P 4: EU Visa Code, consolidated version.pdf - 4:117 [Article 21 Verification of ent..] (20:1168-21:483) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Article 21

Verification of entry conditions and risk assessment

1. In the examination of an application for a uniform visa, it shall be ascertained whether the applicant fulfils the entry conditions set out in Article 5(1)(a), (c), (d) and (e) of the Schengen Borders Code, and particular consideration shall be given to assessing whether the applicant presents a risk of illegal immigration or a risk to the security of the Member States and whether the applicant intends to leave the territory of the Member States before the expiry of the visa applied for.
2. In respect of each application, the VIS shall be consulted in accordance with Articles 8(2) and 15 of the VIS Regulation. Member States shall ensure that full use is made of all search criteria pursuant to Article 15 of the VIS Regulation in order to avoid false rejections and identifications.
3. While checking whether the applicant fulfils the entry conditions, the consulate shall verify:
 - (a) that the travel document presented is not false, counterfeit or forged;
 - (b) the applicant's justification for the purpose and conditions of the intended stay, and that he has sufficient means of subsistence, both for the duration of the intended stay and for the return to his country of origin or residence, or for the transit to a third country into which he is certain to be admitted, or is in a position to acquire such means lawfully;
 - (c) whether the applicant is a person for whom an alert has been issued in the Schengen Information System (SIS) for the purpose of refusing entry;

▼B

2009R0810 — EN — 20.03.2012 — 002.001 — 20(d) that the applicant is not considered to be a threat to public policy, internal security or public health as defined in Article 2(19) of the Schengen Borders Code or to the international relations of any of the Member States, in particular where no alert has been issued in Member States' national databases for the purpose of refusing entry on the same grounds;

(e) that the applicant is in possession of adequate and valid travel medical insurance, where applicable

P 4: EU Visa Code, consolidated version.pdf - 4:118 [5. The means of subsistence fo..] (21:851-21:2326) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

5. The means of subsistence for the intended stay shall be assessed in accordance with the duration and the purpose of the stay and by reference to average prices in the Member State(s) concerned for board and lodging in budget accommodation, multiplied by the number of days stayed, on the basis of the reference amounts set by the Member States in accordance with Article 34(1)(c) of the Schengen Borders Code. Proof of sponsorship and/or private accommodation may also constitute evidence of sufficient means of subsistence.

6. In the examination of an application for an airport transit visa, the consulate shall in particular verify:

(a) that the travel document presented is not false, counterfeit or forged;

(b) the points of departure and destination of the third-country national concerned and the coherence of the intended itinerary and airport transit;

(c) proof of the onward journey to the final destination.

7. The examination of an application shall be based notably on the authenticity and reliability of the documents submitted and on the veracity and reliability of the statements made by the applicant.

8. During the examination of an application, consulates may in justified cases call the applicant for an interview and request additional documents.

9. A previous visa refusal shall not lead to an automatic refusal of a

new application. A new application shall be assessed on the basis of all available information.

P 4: EU Visa Code, consolidated version.pdf - 4:119 [Arrangements in relation to th..] (38:303-38:542) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Arrangements in relation to the Olympic Games and Paralympic Games

Member States hosting the Olympic Games and Paralympic Games shall apply the specific procedures and conditions facilitating the issuing of visas set out in Annex XI.

P 7: Visa Reciprocity Mechanism.pdf - 7:12 [THE COUNCIL OF THE EUROPEAN UN..] (1:300-1:575) (Super)

Codes: [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What messages does the text communicate in terms of institutional and social conventions?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,
Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,
Having regard to the proposal from the Commission,
Having regard to the opinion of the European Parliament (1),
Whereas:

P 7: Visa Reciprocity Mechanism.pdf - 7:16 [(1) The mechanism provided for..] (1:578-1:2122) (Super)

Codes: [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(1) The mechanism provided for in Article 1(4) of Council Regulation (EC) No 539/2001 (

2

) has proved unsuitable for dealing with situations of non-reciprocity in which a third country on the list in Annex II to that Regulation, i.e. a third country whose nationals are exempt from the visa requirement, maintains or introduces a visa requirement for nationals from one or more Member States. Solidarity with the Member States experiencing situations of non-reciprocity requires that the existing mechanism be adapted so as to make it effective.

(2) Given the seriousness of such situations of non-reciprocity, it is essential that they should be notified without fail by the Member State(s) concerned. To ensure that the third country in question again applies visa-free travel to nationals of the Member States concerned, a mechanism should be provided which will combine measures at variable levels and intensities that can be rapidly carried out. Thus the Commission should take steps with the third country without delay, report to the Council and be able at any moment to propose that the Council adopt a provisional decision restoring the visa requirement for nationals of the third country in question. Resorting to such a provisional decision should not make it impossible to transfer the third country in question to Annex I of Regulation (EC) No 539/2001. A temporal link should also be provided between the entry into force of the provisional measure and any proposal to transfer the country to Annex I.

P 8: Visa Facilitation Agreement Albania.pdf - 8:66 [DESIRING, as a first concrete ..] (1:795-1:1100) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa-free travel regime, to facilitate people-to-people contacts as an important condition for the steady development of economic, humanitarian, cultural, scientific and other ties, by facilitating the issuing of visas to citizens of the Republic of Albania,

P 9: Visa Facilitation Agreement Armenia.pdf - 9:32 [DESIRING to facilitate people-..] (1:288-1:512) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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,

P10: Visa Facilitation Agreement Azerbaijan.pdf - 10:39 [DESIRING to facilitate people ..] (1:267-1:560) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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 the Union and the Republic of Azerbaijan on a basis of reciprocity,

P11: Visa Facilitation Agreement Bosnia Herzegovina.pdf - 11:37 [DESIRING, as a first concrete ..] (1:260-1:564) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 nationals of Bosnia and Herzegovina,

P12: Visa Facilitation Agreement Cape Verde.pdf - 12:16 [WISHING to promote contacts be..] (1:366-1:623) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

WISHING to promote contacts between their peoples as an important factor in ensuring the constant development of economic, humanitarian, cultural, scientific and other ties by facilitating the issue of visas to their citizens on the basis of

reciprocity,

P13: Visa Facilitation Agreement FYROM.pdf - 13:40 [DESIRING, as a first concrete ..] (1:1276-1:1598) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 the former Yugoslav Republic of Macedonia,

P14: Visa Facilitation Agreement Georgia.pdf - 14:31 [DESIRING to facilitate people-..] (1:216-1:441) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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,

P15: Visa Facilitation Agreement Moldova.pdf - 15:36 [WITH A VIEW to further develop..] (1:533-1:833) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

WITH A VIEW to further developing friendly relations between the Parties and 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 issuance of visas to Moldovan citizens,

P17: Visa Facilitation Agreement Montenegro.pdf - 17:46 [DESIRING, as a first concrete ..] (1:769-1:1076) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 the Republic of Montenegro,

P18: Visa Facilitation Agreement Russia.pdf - 18:25 [DESIRING to facilitate people-...] (1:295-1:590) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

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 the citizens of the European Union and the Russian Federation on the basis of reciprocity,

P19: Visa Facilitation Agreement Serbia.pdf - 19:46 [DESIRING, as a first concrete ..] (1:853-1:1156) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

DESIRING, as a first concrete step towards the visa free travel regime, 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 the Republic of Serbia,

P20: Visa Facilitation Agreement Ukraine.pdf - 20:32 [WITH A VIEW to further develop..] (1:228-1:541) (Super)

Codes: [Does the text represent or advocate a message?] [How does the discourse relate to the social and cultural practices of a group, what is/are the purposes of the discourse, explicit or implicit?] [What are dominant ways of talking, doing, and being, and how does this perpetuate inequalities and hierarchies?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

WITH A VIEW to further developing friendly relations between the Contracting Parties and 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 Ukrainian citizens,

P22: Proposal Commission on Listing Third Countries Regulation 539-2001.pdf - 22:25 [THE COUNCIL OF THE EUROPEAN UN..] (1:313-1:1554) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 62(2)(b)(i) thereof,
Having regard to the proposal from the Commission,
Having regard to the opinion of the European Parliament,
Whereas:

(1) Under Article 62(2)(b) of the Treaty, the Council is to adopt rules relating to visas for intended stays of no more than three months, and in that context it is required to determine the list of those third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (

1

). Article 61 cites those lists among the flanking measures which are directly linked to the free movement of persons in an area of freedom, security and justice.

(2) The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity

P23: Proposal Commission on Listing Third Countries Regulation 539-2001 memorandum.pdf - 23:11 [Criteria used for determining ..] (7:2405-8:2155) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

Criteria used for determining whether a third country should be in Annex I or Annex II

To determine whether nationals of a third country are subject to the visa requirement or exempted from it, regard should be had to a set of criteria should that can be grouped under three main headings:

- illegal immigration: the visas rules constitute an essential instrument for controlling

migratory flows. Here, reference can be made to a number of relevant sources of statistical information and indicators to assess the risk of illegal migratory flows (such as information and/or statistics on illegal residence, cases of refusal of admission to the territory, expulsion measures, and clandestine immigration and labour networks), to assess the reliability of travel documents issued by the relevant third country and to consider the impact of readmission agreements with those countries;

- public policy: conclusions reached in the police cooperation context among others may highlight specific salient features of certain types of crime. Depending on the seriousness, regularity and territorial extent of the relevant forms of crime, imposing the visa requirement could be a possible response worth considering. Threats to public order may in some cases be so serious as even to jeopardise domestic security in one or more Member States. If the visa requirement was imposed in a show of solidarity by the other Member States, this could again be an appropriate response;

- international relations: the option for or against imposing the visa requirement in respect of a given third country can be a means of underlining the type of relations which the Union is intending to establish or maintain with it. But the Union's relations with a single country in isolation are rarely at stake here. Most commonly it is the relationship with a group of countries, and the option in favour of a given visa regime also has implications in terms of regional coherence. The choice of visa regime can also reflect the specific position of a Member State in relation to a third country, to which the other Member States adhere in a spirit of solidarity. The reciprocity criterion, applied by States individually and separately in the traditional form of relations under public international law, now has to be used by reason of the constraints of the Union's external relations with third countries.

Given the extreme diversity of situations in third countries and their relations with the European Union and the Member States, the criteria set out here cannot be applied automatically, by means of coefficients fixed in advance. They must be seen as decision-making instruments to be used flexibly and pragmatically, being weighted variably on a case-by-case basis.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:24 [(2) insufficient geographical ..] (4:2095-4:4054) (Super)

Codes: [Does the text represent or advocate a message?] [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

(2) insufficient geographical coverage in visa processing.

The minimum policy option assessed for this problem area was to repeal Article 41 of the Visa Code (co-location, Common Application Centres (CAC)) and to introduce a general

notion/concept of 'Schengen Visa Centre' which would provide a more realistic, more flexible definition with regard to certain forms of consular cooperation. The intermediate option in addition to the 'Schengen Visa Centres' was introducing the concept of 'mandatory representation' according to which, if the Member State competent to process the visa application is neither present nor represented (under such an arrangement) in a given third country any other Member State present in that country would be obliged to process visa applications on their behalf. Finally, as a maximum option, in order to ensure adequate visa collecting/processing coverage, Commission implementing decisions could lay down what the Schengen visa collecting network in third countries should look like in terms of representation arrangements, cooperation with external service providers and pooling of resources by other means.

The IA noted that the maximum policy option could have the most positive impacts in terms of rationalising the visa collecting/processing presence and could offer important advantages for visa applicants and significant efficiency gains for consulates. However its feasibility appears low. Based on the impact assessment, the intermediate option was preferred. The IA points out that 'mandatory representation' would secure consular coverage in any third country where there is at least one consulate present to process visa applications. This could have a positive impact on some 100 000 applicants who would be able to lodge the application in their country of residence instead of travelling to a country where the competent Member State is present or represented.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:26 [The proposed amendments while ..] (2:2796-3:123) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

The proposed amendments while maintaining security at the external borders and ensuring the good functioning of the Schengen area, make travel easier for legitimate travellers and simplify the legal framework in the interest of Member States, e.g. by allowing more flexible rules on consular cooperation. The common visa policy should contribute to generating

1

COM(2012) 649 final.

2

COM (2014) 165.

3

SWD (2014) 101 . EN 3 EN

growth and be coherent with other EU policies on external relations, trade, education, culture and tourism.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:27 [The IA also showed that the ve..] (4:576-4:706) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

The IA also showed that the very high potential economic impact of the maximum option is associated with a higher security risk.

P48: COM_2014_164_EN_ACTE_f.pdf - 48:28 [While it was clear that the ma..] (4:1515-4:2090) (Super)

Codes: [What social language is enacted in the text? Whose interests are represented in the discourse?]

No memos

While it was clear that the maximum option had a very high potential economic impact, it is associated with a potentially higher security risk, too. To mitigate this risk, the approach proposed is to issue longer-validity MEVs gradually to 'VIS registered regular travellers' (first for three years, then on the basis of lawful use of that visa, for five years). The impacts of this approach fall between the intermediate and the maximum option identified in the IA, probably closer to the impacts of the maximum option as far as the economic impacts are concerned.

Results for “Criteria Absolving”

Report: 56 quotation(s) for 1 code

HU: Master Thesis Atlas

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Edited by: Super

Date/Time: 2016-02-10 16:56:05

Mode: quotation list names and references

Quotation-Filter: All

Criteria Absolving

P53: cotonou agreement.pdf - 53:1 [ACKNOWLEDGING that a political..] (15:1075-15:1417) (Super)

Codes: [Criteria Absolving]

No memos

ACKNOWLEDGING that a political environment guaranteeing peace, security and stability, respect for human rights, democratic principles and the rule of law, and good governance is part and parcel of long term development; acknowledging that responsibility for establishing such an environment rests primarily with the countries concerned;

P53: cotonou agreement.pdf - 53:2 [ACKNOWLEDGING that sound and s..] (15:1422-15:1517) (Super)

Codes: [Criteria Absolving]

No memos

ACKNOWLEDGING that sound and sustainable economic policies are prerequisites for development;

P53: cotonou agreement.pdf - 53:3 [REFERRING to the principles of..] (15:1522-15:2304) (Super)

Codes: [Criteria Absolving]

No memos

REFERRING to the principles of the Charter of the United Nations, and recalling the Universal Declaration of Human Rights, the conclusions of the 1993 Vienna Conference on Human Rights, the Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of all forms of Discrimination against Women, the International Convention on the Elimination of all forms of Racial Discrimination, the 1949 Geneva Conventions and the other instruments of international humanitarian law, the 1954 Convention relating to the status of stateless persons, the 1951 Geneva Convention relating to the Status of Refugees and the 1967 New York Protocol relating to the Status of Refugees;

P53: cotonou agreement.pdf - 53:4 [CONSIDERING the Convention for..] (15:2309-15:2630) (Super)

Codes: [Criteria Absolving]

No memos

CONSIDERING the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe, the African Charter on Human and Peoples' Rights and the American Convention on Human Rights as positive regional contributions to the respect of human rights in the European Union and in the ACP States;

P53: cotonou agreement.pdf - 53:5 [2. Recognition by the parties ..] (20:541-20:779) (Super)

Codes: [Criteria Absolving]

No memos

2. Recognition by the parties of non-State actors shall depend on the extent to which they address the needs of the population, on their specific competencies and whether they are organised and managed democratically and transparently.

P53: cotonou agreement.pdf - 53:6 [3. The dialogue shall cover al..] (21:408-21:1158) (Super)

Codes: [Criteria Absolving]

No memos

3. The dialogue shall cover all the aims and objectives laid down in this Agreement as well as all questions of common, general or regional interest, including issues pertaining to regional and continental integration. Through dialogue, the Parties shall contribute to peace, security and stability and promote a stable and democratic political environment. It shall encompass cooperation strategies, including the aid effectiveness agenda, as well as global and sectoral policies, including environment, climate change, gender, migration and questions related to the cultural heritage. It shall also address global and sectoral policies of both Parties that might affect the achievement of the objectives of development cooperation.

P53: cotonou agreement.pdf - 53:7 [4. The dialogue shall focus, i..] (21:1162-21:1781) (Super)

Codes: [Criteria Absolving]

No memos

4. The dialogue shall focus, inter alia, on specific political issues of mutual concern or of general significance for the attainment of the objectives of this Agreement, such as the arms trade, excessive military expenditure, drugs, organised crime or child labour, or discrimination of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The dialogue shall also encompass a regular assessment of the developments concerning the respect for human rights, democratic principles, the rule of law and good governance.

P53: cotonou agreement.pdf - 53:8 [5. Broadly based policies to p..] (21:1786-21:2208) (Super)

Codes: [Criteria Absolving]

No memos

5. Broadly based policies to promote peace and to prevent, manage and resolve violent conflicts shall play a prominent role in this dialogue, as shall the need to take full account of the objective of peace and democratic stability in the definition of priority areas of cooperation. The dialogue in this context shall fully involve the relevant ACP regional organisations and the African Union, where appropriate.

P53: cotonou agreement.pdf - 53:9 [1. Cooperation shall be direct..] (22:159-22:613) (Super)

Codes: [Criteria Absolving]

No memos

1. Cooperation shall be directed towards sustainable development centred on the human person, who is the main protagonist and beneficiary of development; this entails respect for and promotion of all human rights.

Respect for all human rights and fundamental freedoms, including respect for fundamental social rights, democracy based on the rule of law and transparent and accountable governance are an integral part of sustainable development.

P53: cotonou agreement.pdf - 53:10 [2. The Parties refer to their ..] (22:618-22:2259) (Super)

Codes: [Criteria Absolving]

No memos

2. The Parties refer to their international obligations and commitments concerning respect for human rights. They reiterate their deep attachment to human dignity and human rights,

which are legitimate aspirations of individuals and peoples. Human rights are universal, indivisible and inter related. The Parties undertake to promote and protect all fundamental freedoms and human rights, be they civil and political, or economic, social and cultural. In this context, the Parties reaffirm the equality of men and women.

The Parties reaffirm that democratisation, development and the protection of fundamental freedoms and human rights are interrelated and mutually reinforcing. Democratic principles are universally recognised principles underpinning the organisation of the State to ensure the legitimacy of its authority, the legality of its actions reflected in its constitutional, legislative and regulatory system, and the existence of participatory mechanisms. On the basis of universally recognised principles, each country develops its democratic culture.

The structure of government and the prerogatives of the different powers shall be founded on rule of law, which shall entail in particular effective and accessible means of legal redress, an independent legal system guaranteeing equality before the law and an executive that is fully subject to the law.

Respect for human rights, democratic principles and the rule of law, which underpin the ACP-EU Partnership, shall underpin the domestic and international policies of the Parties and constitute the essential elements of this Agreement.

P53: cotonou agreement.pdf - 53:11 [3. In the context of a politic..] (22:2264-22:3265) (Super)

Codes: [Criteria Absolving]

No memos

3. In the context of a political and institutional environment that upholds human rights, democratic principles and the rule of law, good governance is the transparent and accountable management of human, natural, economic and financial resources for the purposes of equitable and sustainable development. It entails clear decision-making procedures at the level of public authorities, transparent and accountable institutions, the primacy of law in the management and distribution of resources and capacity building for elaborating and implementing measures aiming in particular at preventing and combating corruption.

Good governance, which underpins the ACP-EU Partnership, shall underpin the domestic and international policies of the Parties and constitute a fundamental element of this Agreement. The Parties agree that serious cases of corruption, including acts of bribery leading to such corruption, as referred to in Article 97 constitute a violation of that element.

P53: cotonou agreement.pdf - 53:12 [1. The Parties acknowledge tha..] (23:1930-24:566) (Super)

Codes: [Criteria Absolving]

No memos

1. The Parties acknowledge that without development and poverty reduction there will be no sustainable peace and security, and that without peace and security there can be no sustainable development. The Parties shall pursue an active, comprehensive and integrated policy of peace building and conflict prevention and resolution, and human security, and shall address situations of fragility within the framework of the Partnership. This policy shall be based on the principle of ownership and shall in particular focus on building national, regional and continental capacities, and on preventing violent conflicts at an early stage by addressing their root-causes, including poverty, in a targeted manner, and with an adequate combination of all available instruments. 23

The Parties acknowledge that new or expanding security threats need to be addressed, such as organised crime, piracy and trafficking of, notably, people, drugs and weapons.

The impacts of global challenges like international financial market shocks, climate change and pandemics also need to be taken into account.

The Parties emphasize the important role of regional organisations in peace building and conflict prevention and resolution and in tackling new or expanding security threats with, in Africa, a key responsibility for the African Union.

P53: cotonou agreement.pdf - 53:13 [The Parties reiterate their fi..] (25:1770-25:2443) (Super)

Codes: [Criteria Absolving]

No memos

The Parties reiterate their firm condemnation of all acts of terrorism and undertake to combat terrorism through international cooperation, in accordance with the Charter of the United Nations and international law, relevant conventions and instruments and in particular full implementation of UN Security Council Resolutions 1373 (2001) and 1456 (2003) and other relevant UN resolutions. To this end, the Parties agree to exchange:

- information on terrorist groups and their support networks; and
- views on means and methods to counter terrorist acts, including in technical fields and training, and experiences in relation to the prevention of terrorism.

P53: cotonou agreement.pdf - 53:14 [1. The Parties consider that t..] (25:2541-26:463) (Super)

Codes: [Criteria Absolving]

No memos

1. The Parties consider that the proliferation of weapons of mass destruction and their means of delivery, both to State and non-State actors, represents one of the most serious threats to international stability and security. 25

The Parties therefore agree to cooperate and to contribute to countering the proliferation of weapons of mass destruction and their means of delivery through full compliance with and national implementation of their existing obligations under international disarmament and non-proliferation treaties and agreements and other relevant international obligations. The Parties agree that this provision constitutes an essential element of this Agreement.

P53: cotonou agreement.pdf - 53:15 [1. The issue of migration shal..] (27:1943-27:2291) (Super)

Codes: [Criteria Absolving]

No memos

1. The issue of migration shall be the subject of in depth dialogue in the framework of the ACP-EU Partnership.

The Parties reaffirm their existing obligations and commitments in international law to ensure respect for human rights and to eliminate all forms of discrimination based particularly on origin, sex, race, language and religion.

P53: cotonou agreement.pdf - 53:16 [2. The Parties agree to consid..] (27:2296-27:2701) (Super)

Codes: [Criteria Absolving]

No memos

2. The Parties agree to consider that a partnership implies, with relation to migration, fair treatment of third country nationals who reside legally on their territories, integration policy aiming at granting them rights and obligations comparable to those of their citizens, enhancing non discrimination in economic, social and cultural life and developing measures against racism and xenophobia.

P53: cotonou agreement.pdf - 53:17 [a] In the framework of the pol..] (28:1541-28:2088) (Super)

Codes: [Criteria Absolving]

No memos

a) In the framework of the political dialogue the Council of Ministers shall examine issues arising from illegal immigration with a view to establishing, where appropriate, the means for a prevention policy.

b) In this context the Parties agree in particular to ensure that the rights and dignity of individuals are respected in any procedure initiated to return illegal immigrants to their countries of origin. In this connection the authorities concerned shall extend to them the administrative facilities necessary for their return.

P53: cotonou agreement.pdf - 53:18 [a) achieving rapid and sustain..] (34:144-34:1449) (Super)

Codes: [Criteria Absolving]

No memos

a) achieving rapid and sustained job-creating economic growth, developing the private sector, increasing employment, improving access to productive economic activities and resources;

(aa) fostering regional cooperation and integration;

b) promoting human and social development helping to ensure that the fruits of growth are widely and equitably shared and promoting gender equality;

c) promoting cultural values of communities and specific interactions with economic, political and social elements;

d) promoting institutional reforms and development, strengthening the institutions necessary for the consolidation of democracy, good governance and for efficient and competitive market economies; and building capacity for development and partnership; and
e) promoting environmental sustainability, regeneration and best practices, and the preservation of natural resource base.

2. Systematic account shall be taken in mainstreaming into all areas of cooperation the following thematic or cross-cutting themes: human rights, gender issues, democracy, good governance, environmental sustainability, climate change, communicable and noncommunicable diseases and institutional development and capacity building. These areas shall also be eligible for Community support.

P53: cotonou agreement.pdf - 53:19 [Cooperation shall also support..] (40:1137-40:2155) (Super)

Codes: [Criteria Absolving]

No memos

Cooperation shall also support the establishment of a coherent and comprehensive policy

for realising the potential of youth so that they are better integrated into society to achieve their full potential. In this context, cooperation shall support policies, measures and operations aimed at:

- a) protecting the rights of children and youth, especially those of girl children;
- b) promoting the skills, energy, innovation and potential of youth in order to enhance their economic, social and cultural opportunities and enlarge their employment opportunities in the productive sector;
- c) helping community-based institutions to give children the opportunity to develop their physical, psychological, social and economic potential;
- d) reintegrating into society children in post conflict situations through rehabilitation programmes; and
- e) promoting the active participation of young citizens in public life and fostering student exchanges and interaction of ACP and EU youth organisations.

P53: cotonou agreement.pdf - 53:20 [2. In conformity with the gene..] (41:905-42:37) (Super)

Codes: [Criteria Absolving]

No memos

2. In conformity with the general objectives set out in Articles 1 and 20, ACP-EU cooperation shall aim to:

- (a) promote peace and stability, as well as conflict prevention and resolution;
- (b) enhance economic development and economic cooperation through the build-up of larger markets, the free movement of persons, goods, services, capital, labour and technology among ACP countries, the accelerated diversification of the economies of the ACP States, the promotion and expansion of trade among ACP countries and with third countries and the gradual integration of the ACP States into the world economy;
- (c) promote the management of sustainable development challenges with a transnational dimension through, inter alia, coordination and harmonisation of regional cooperation policies.

3. Under the conditions set out in Article 58, cooperation shall also support inter-regional and intra-ACP cooperation such as that involving:

- (a) one or several ACP regional organisations, including at continental level;
- (b) European Overseas Countries and Territories (OCTs) and outermost regions; 41
- (c) non-ACP developing countries.

P54: review_of_visa_regulation_539_2001_com_2012_650_en (1).pdf - 54:1 [the country's level of economi..] (3:2318-3:2491) (Super)

Codes: [Criteria Absolving]

No memos

the country's level of economic and social development, the risk it poses of irregular immigration to the European Union, external relations issues and regional coherence

P54: review_of_visa_regulation_539_2001_com_2012_650_en (1).pdf - 54:2 [These five countries do not re..] (3:2844-4:665) (Super)

Codes: [Criteria Absolving]

No memos

These five countries do not represent any risk of irregular immigration or public order and security to the Member States of the Union in accordance with the criteria set out in recital 5 of the Regulation. Furthermore, these third countries are well-established democracies. They have a good standard of living and a stable, growing economy in the region. They have proved that

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In accordance with European Parliament and Council Regulation (EC) 862/2007 of 11 July 2007 (OJ, L 199 31.07.2007, p. 23 EN 4 EN

they are able to face the current global economic crisis and improve their already good relationships with both the Union and the international financial institutions. The 2006 revision of Regulation (EC) No 539/2001

6

has already transferred four countries located in the same region to the positive list and the waiving of the visa for the citizens of these four countries has not had any negative effect with respect to irregular migration or security. It is accordingly proposed that Dominica, Grenada, Saint Lucia, Saint Vincent and the Grenadines and Trinidad and Tobago be transferred from the negative list to the positive list.

P54: review_of_visa_regulation_539_2001_com_2012_650_en (1).pdf - 54:3 [Recent statistics show that no..] (5:409-5:507) (Super)

Codes: [Criteria Absolving]

No memos

Recent statistics show that none of those countries is a source of irregular migration to the

EU.

P54: review_of_visa_regulation_539_2001_com_2012_650_en (1).pdf - 54:4 [The passports issued by these ..] (5:511-5:839) (Super)

Codes: [Criteria Absolving]

No memos

The passports issued by these countries are machine-readable

7

and contain a sufficient number of security features. As explained above for the Caribbean Island Nations, the issuing of biometric passports by the Pacific Island Nations should not be a pre-condition for exempting their nationals from the visa obligation.

P54: review_of_visa_regulation_539_2001_com_2012_650_en (1).pdf - 54:8 [However, statistics for the pa..] (6:15-6:1067) (Super)

Codes: [Criteria Absolving]

No memos

However, statistics for the past three years on refusals at borders and apprehensions of irregular migrants show that British citizens under the visa obligation do not pose a risk in terms of irregular migration to the Schengen area, as the figures are negligible. Some of them have the right of abode in the United Kingdom. Moreover, most of them reside in islands of the Caribbean region (Bermuda, Turks and Caicos, Montserrat, etc.), which have strong similarities with countries of the same region which are gradually being transferred to Annex II (see 2.1.1. above). Regional coherence would therefore require these persons to be treated in a similar way. The number of people included within the four groups of British nationals currently mentioned in Annex I is estimated to be below 300 000.

The security of the British nationals' travel documents is ensured, as such documents are made in the United Kingdom according to strict technical specifications. They are machine readable and contain a number of security features.

P56: White List Project Paper - Roadmap Albania.pdf - 56:1 [The whole process will be divi..] (2:1036-2:1261) (Super)

Codes: [Criteria Absolving]

No memos

The whole process will be divided in four sets of issues to

be covered by the dialogue: document security, illegal migration, public order and security as well as external relations items linked to the movement of persons.

P56: White List Project Paper - Roadmap Albania.pdf - 56:2 [Albania should: ? issue machin..] (3:1648-3:2379) (Super)

Codes: [Criteria Absolving]

No memos

Albania should:

- ⌚ issue machine readable biometric travel documents in compliance with ICAO and EC standards; and gradually introduce biometric data, including photo and fingerprints;
- ⌚ adopt and implement appropriate administrative measures ensuring the integrity and security of the personalisation and distribution process;
- ⌚ establish training programmes and adopt ethical codes on anti-corruption targeting the officials of any public authority that deal with visas, passports;
- ⌚ report to Interpol/LASP data base on lost and stolen passports;
- ⌚ ensure a high level of security of breeder documents, including the civil registry as well as ID cards and define strict procedures surrounding their issuance.

P56: White List Project Paper - Roadmap Albania.pdf - 56:3 [adopt and implement legislatio..] (4:95-4:774) (Super)

Codes: [Criteria Absolving]

No memos

adopt and implement legislation governing the movement of persons at the external borders, as well as law on the organisation of the border authorities and their functions in accordance with the National Strategy of Integrated Border Management (NSIBM) and its Action Plan, adopted in September 2007;

- ⌚ take necessary budgetary and other administrative measures ensuring efficient infrastructure, equipments, IT technology at the external borders;
- ⌚ establish training programmes and adopt ethical codes on anti-corruption targeting the border guards, customs and other officials involved in the border management;
- ⌚ conclude a working arrangement with FRONTEX.

P56: White List Project Paper - Roadmap Albania.pdf - 56:4 [Albania should adopt and imple..] (4:805-4:898) (Super)

Codes: [Criteria Absolving]

No memos

Albania should adopt and implement legislation on carriers' responsibility defining sanctions.

P56: White List Project Paper - Roadmap Albania.pdf - 56:5 [? adopt and implement legislat..] (4:933-4:1269) (Super)

Codes: [Criteria Absolving]

No memos

- ⌚ adopt and implement legislation in the area of asylum in line with international standards (1951 Geneva Convention with New York Protocol) and the EU legal framework and standards;
- ⌚ provide adequate infrastructure and strengthen responsible bodies, in particular in the area of asylum procedures and reception of asylum seekers.

P56: White List Project Paper - Roadmap Albania.pdf - 56:6 [set up and start to apply a me..] (4:1313-5:463) (Super)

Codes: [Criteria Absolving]

No memos

set up and start to apply a mechanism for the monitoring of migration flows, defining a regularly updated migration profile for Albania, with data both on illegal and legal migration, and establishing bodies responsible for collection and analysis of data on migration stocks and flows;

- ⌚ implement the National Migration Strategy and its Action Plan, adopted in May 2005, including sustainable financial and social support;5/7
- ⌚ define and apply methodology for inland detection and take measures improving the capacity to investigate cases of organised facilitated illegal migration;
- ⌚ adopt and implement a law on the admission and stay of third country nationals, defining rights and obligations for the persons concerned (including family members of third country nationals);
- ⌚ ensure effective expulsion of illegally residing third country nationals from its territory.

P56: White List Project Paper - Roadmap Albania.pdf - 56:7 [? take measures aimed at impro..] (6:6-7:930) (Super)

Codes: [Criteria Absolving]

No memos

- ⌚ take measures aimed at improving the efficiency of judicial co-operation in criminal matters of judges and prosecutors with the EU Member States and with countries in the region;
 - ⌚ develop working relations with Eurojust mainly through the Eurojust contact point.
- Law enforcement co-operation
- Albania should:

⌚ take necessary steps to ensure efficiency of law enforcement co-operation among relevant national agencies - especially border guards, police, customs officers -, as well as cooperation with the judicial authorities;

⌚ improve exchange of information between national agencies by setting up an adequate coordination mechanism;

⌚ reinforce regional law enforcement co-operation and implement bilateral and multilateral operational cooperation agreements, including by sharing on time relevant information with competent law enforcement authorities of EU Member States;

⌚ improve the operational and special investigative capacity of law enforcement services to tackle more efficiently cross-border crime;

⌚ take the necessary steps to prepare for the conclusion of an operational cooperation agreement with Europol with special emphasis on data protection provisions.

Data protection

Albania should:

⌚ implement the Personal Data Protection Law, adopted in March 2008 on the protection of personal data and implement its provisions including setting-up of an independent data protection supervisory authority with sufficient financial and human resources ;

⌚ sign, ratify and implement relevant international conventions, such as the Additional protocol of the Council of Europe Convention for the Protection of Individuals with regard to the Automatic Processing of Personal Data.

BLOCK 4: External Relations and fundamental rights

Freedom of movement of Albanian nationals

[Albania should:

⌚ ensure that freedom of movement of Albanian citizens is not subject to unjustified restrictions, including measures of a discriminatory nature, based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.]7/7

Conditions and procedures for the issue of identity documents

Albania should:

⌚ ensure full and effective access to travel and identity documents for all citizens including women, children, people with disabilities, people belonging to minorities and other vulnerable groups;

⌚ ensure full and effective access to identity documents for refugees.

Citizens' rights including protection of minorities

Albanian should:

⌚ adopt and enforce legislation to ensure effective protection against discrimination;

⌚ specify conditions and circumstances for acquisition of Albanian citizenship;

⌚ ensure investigation of ethnically motivated incidents by law enforcement officers in the area of freedom of movement, including cases targeting members of minorities;

⌚ ensure that constitutional provisions on protection of minorities are observed;

⌚ implement relevant policies regarding all minorities, including Roma

P62: Explan Am 20011207.docx - 62:1 [The report notes that Romania ..] (9:9) (Super)

Codes: [Criteria Absolving]

No memos

The report notes that Romania has made undeniable progress in legislative and organisational matters as regards illegal immigration and repatriation from the Member States of persons illegally resident there who have travelled from Romania, visa policy and border controls. The report also sets out Romania's commitments in these areas.

P65: Explan Am 20091130.docx - 65:1 [Heads of State and Government ..] (20:20) (Super)

Codes: [Criteria Absolving]

No memos

Heads of State and Government reaffirmed the importance of a dialogue on short term visas in the conclusions of the EU-Western Balkans Summit held in Thessaloniki on 21 June 2003, which also confirmed the European perspective of the countries of the Western Balkans. The "Thessaloniki agenda" confirmed in particular that the perspective of visa liberalisation for the Western Balkan countries is a goal linked to the progress of the countries concerned in implementing major reforms in areas such as the strengthening of the rule of law, combating organised crime, corruption and illegal migration and the strengthening of their administrative capacity in border control and security of documents.

P65: Explan Am 20091130.docx - 65:2 [- the improvement of cross-bor..] (50:53) (Super)

Codes: [Criteria Absolving]

No memos

- the improvement of cross-border/boundary surveillance, which includes in particular the exchange of information with EULEX/Kosovo police
- the effective implementation of the Law on Foreigners in force since April 2009 and the adoption of the Migration Management Strategy;

- the effective implementation of the legal framework for the fight against organised crime and corruption, including through allocation of adequate financial and human resources;
- the integrity and security of the procedures followed in issuing new biometric passports to persons residing in Kosovo.

P65: Explan Am 20091130.docx - 65:3 [- the effective implementation..] (46:48) (Super)

Codes: [Criteria Absolving]

No memos

- the effective implementation of the Law on foreigners, in force since January 2009;
- the definition of a sustainable solution regarding the status of displaced persons and internally displaced persons, including access to identity documents;
- the strengthening of capacities in the area of law enforcement and the effective implementation of the legal framework for the fight against organised crime and corruption, including through allocation of adequate financial, human and technical resources.

P67: Explan Am 20101215.docx - 67:1 [Taiwan is characterised by a h..] (21:21) (Super)

Codes: [Criteria Absolving]

No memos

Taiwan is characterised by a high per capita income (US\$ 30,100) and political stability (4th Presidential direct election held in March 2008 since the lifting of martial law in 1987). Despite the fact that the EU does not recognise Taiwan as a sovereign state and has no diplomatic or formal relations with Taiwan, the EU has developed regular contacts and cooperation in economic, trade, research, science and technology, education and culture as well as environmental issues with the Taiwanese authorities. As a result, the EU is the largest foreign investor in Taiwan.

P67: Explan Am 20101215.docx - 67:2 [Transferring Taiwan to the pos..] (23:23) (Super)

Codes: [Criteria Absolving]

No memos

Transferring Taiwan to the positive list would reinforce regional coherence as the EU grants visa free regime to other countries and entities of the region having a similar level of economic development, such as Hong Kong, Macao, Japan, South Korea and Singapore.

P67: Explan Am 20101215.docx - 67:3 [As regards migration, the risk..] (24:24) (Super)

Codes: [Criteria Absolving]

No memos

As regards migration, the risk of illegal immigration from Taiwan is very low (45 persons staying illegally on average per year for the period of 2006-2008), as also confirmed by the refusal rate at the border (38 persons on average per year for the period of 2006-2008) and the visa refusal rate (0,25 % in 2008). On that basis, imposing a visa requirement on the nationals of Taiwan is no longer justified.

P67: Explan Am 20101215.docx - 67:4 [Concerning document security, ..] (25:25) (Super)

Codes: [Criteria Absolving]

No memos

Concerning document security, Taiwan adopted measures ensuring highly secured ID cards and introduced a new, more secure passport recently. As from the end of 2008, Taiwan issues biometric passports and carries out an improved personalisation process for issuance of the new passports.

P67: Explan Am 20101215.docx - 67:5 [Any visa waiver granted to the..] (27:27) (Super)

Codes: [Criteria Absolving]

No memos

Any visa waiver granted to the citizens of Taiwan should be reciprocated by Taiwan. On this issue Taiwan has expressed the political will to grant a full visa free regime for all EU citizens and has progressively eliminated the visa requirement for nationals of a large majority of EU Member States; currently a visa is still required for citizens of

Cyprus, Romania and Bulgaria, although by official letter, Taiwan has clearly indicated its commitment to offer full visa waiver regime for the nationals of these three Member States as well during 2010.

P67: Explan Am 20101215.docx - 67:6 [Particular attention was paid ..] (29:29) (Super)

Codes: [Criteria Absolving]

No memos

Particular attention was paid also to the countries' or territories' level of economic and social development, the risk of illegal immigration to the EU linked to it, to the external relations and the criteria of regional coherence.

P68: Explan Am 20140403.docx - 68:1 [Document security, including b..] (11:11) (Super)

Codes: [Criteria Absolving]

No memos

Document security, including biometrics; Irregular immigration, including readmission; Public order and security; External relations and fundamental rights

P68: Explan Am 20140403.docx - 68:2 [despite an unstable political ..] (36:36) (Super)

Codes: [Criteria Absolving]

No memos

despite an unstable political situation that lasted for several months, which indicate an appropriate level of good governance and maturity of the public administration.

P68: Explan Am 20140403.docx - 68:3 [In this context, it is also wo..] (40:40) (Super)

Codes: [Criteria Absolving]

No memos

In this context, it is also worth looking at the available statistical data. About 230,000 Moldovans were legally residing at the end of 2012 in the EU[12], according to data on valid residence permits. Statistical data show that the risk of

irregular migration to the EU from Moldovan citizens has decreased in recent years: since 2008, when 6,830 irregular Moldovan immigrants were apprehended, the number of apprehensions has decreased every year, to reach 3,070 in 2012, i.e. a decrease of 55%. Asylum applications have also halved (- 48%) over that period: 435 asylum applications were made by Moldovan citizens in 2012 down from 837 in 2008. The ratio of effected returns compared to the number of return decisions issued is improving and reached 73% in 2012, compared to about 50% over the four previous years. Finally, while the number of short-stay Schengen visa applications has remained stable over the past three years (oscillating between 50,000 and 55,000), the refusal rate for visa applications has decreased sharply from 11.4% in 2010 to 6.5% in 2012. These data confirm altogether that the migratory risk represented by Moldovan citizens has substantially decreased. The amendments to the EU visa rules will introduce a new visa waiver suspension mechanism in Regulation 539/2001, which contributes to preserving the integrity of the visa liberalisation process and ensures, as a measure of last resort, that visa-free travel will not lead to irregularities or abuse.

P75: VLAP RUSSIA.pdf - 75:1 [Such a Russia-EU visa waiver a..] (1:421-1:552) (Super)

Codes: [Criteria Absolving]

No memos

Such a Russia-EU visa waiver agreement will be limited to holders of biometric passports issued in accordance with ICAO standards.

P75: VLAP RUSSIA.pdf - 75:2 [? Introduce ICAO-compliant bio..] (2:448-2:1530) (Super)

Codes: [Criteria Absolving]

No memos

⌚ Introduce ICAO-compliant biometric passports on the basis of a comprehensive and secure identity management, taking into account work carried out in the ICAO framework and adequate protection of personal data and ensure their authenticity, facilitate accurate verification of identity of their holders by relevant authorities of both Parties.

⌚ Ensure prompt and systematic reporting to the Interpol database on lost and stolen passports.

⌚ Maintain regular exchange of passport specimens and visa forms, information on false documents and cooperation on document security.

⌚ Conduct training programs on the methods of the document protection, on the basis of

ICAO standards, inter alia on introduction of biometric parameters, as well as exchange of information on the methods and respective possible scientific researches in the field.
Operational measures

⌚ Undertake and if necessary improve anti-corruption measures, including ethical norms, targeting officials of any public authority that deals with comprehensive and secure identity management.

P75: VLAP RUSSIA.pdf - 75:3 [? Conclude between Russia and ..] (2:1607-3:644) (Super)

Codes: [Criteria Absolving]

No memos

⌚ Conclude between Russia and all the relevant EU Member States the implementing protocols to the Agreement between the Russian Federation and the European Community on Readmission of 25 May 2006, while ensuring effective implementation of this Agreement.

⌚ Effectively implement the Agreement between the Russian Federation and the European Community on the Facilitation of the Issuance of Visas to the Citizens of the Russian Federation and the European Union of 25 May 2006.

⌚ Amend the above mentioned visa facilitation agreement in order to further simplify visa requirements for the short-term travels.

⌚ Work to ensure facilitation, further simplification and transparent application of the respective rules on registration/listing of citizens legally staying on the other Party's territory, on issuance of permits to legally stay/reside and exercise labour activity, aiming to reduce in practice the length of administrative procedures and burden for citizens; and regularly exchange information on respective visa policies. Operational measures

⌚ Exchange information, including within the Russia-EU Dialogue on Migration, on a legal framework, as well as on administrative structures, including their respective competences and working methods, and on infrastructure (including detention centres) for effective general migration management, in particular for effective elaboration of methodology on inland detection and expulsion of illegal migrants, as well as the current flows, statistics and risk analysis of illegal migration and closely cooperate in the fight against crimes, connected to the illegal migration, and addressing possible deficiencies.

P75: VLAP RUSSIA.pdf - 75:4 [? Establish clear and transpar..] (3:667-3:1641) (Super)

Codes: [Criteria Absolving]

No memos

⌚ Establish clear and transparent asylum procedures effectively accessible for persons seeking asylum.

- ⌚ Closely cooperate, within the Russia-EU Dialogue on Migration, on the asylum related issues.
- ⌚ Ensure proper status, including rights and duties, for persons recognized to be in need of international protection in accordance with the Parties' obligations under international law, including under the 1951 Convention relating to the status of refugees and the 1967 Protocol relating to the status of refugees.

Operational measures

- ⌚ Exchange information on respective administrative structures competent for treatment of asylum cases, including on reception facilities for asylum seekers, and addressing possible deficiencies.
- ⌚ Develop a comprehensive exchange of information on their respective policies towards integration and adaptation of recognized refugees and persons granted international protection, and addressing possible deficiencies.

P75: VLAP RUSSIA.pdf - 75:5 [? Optimise the appropriate wor..] (3:1676-4:924) (Super)

Codes: [Criteria Absolving]

No memos

- ⌚ Optimise the appropriate working mechanism for closer cooperation and more intensive contacts and information exchange between the Russian and EU Member States' border services, in particular at state border crossing points and effectively implement the working arrangement between the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU ("FRONTEX") and the Border Guards Service of the Federal Security Service of the Russian Federation.
 - ⌚ Undertake necessary steps in order to develop cooperation between the Federal Agency for the Development of the State Border Facilities of the Russian Federation (Rosgranitsa) and the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU ("FRONTEX").
 - ⌚ Deploy appropriate staff, resources, technical equipment and infrastructure at the relevant parts of the state border, as well as effectively implement border control procedures and best practices at their common state border crossing points to ensure secure environment for the movement across the borders between the EU and the Russian Federation, while fighting cross-border crime, improve efficiency of controls of that movement and make common border crossing less strenuous and reduce the waiting time
- #### Operational measures
- ⌚ Exchange information on their appropriate border-related administrative structures, maintain cooperation between their border services, law enforcement and other competent agencies and address possible deficiencies.
 - ⌚ Develop a data gathering and analysing system allowing to carry out regular risk analysis for border management.
 - ⌚ Pursue set of measures for prevention and suppression of the document fraud and their

use for the border crossing, inter alia by training of law-enforcement, border and customs agencies staff.

⌚ Conduct training programmes and implement anti-corruption measures, including ethical norms, specifically targeting officials of state border-related structures, and addressing possible deficiencies.

P75: VLAP RUSSIA.pdf - 75:6 [? Follow relevant internationa..] (4:1061-5:79) (Super)

Codes: [Criteria Absolving]

No memos

⌚ Follow relevant international standards in the fight against money laundering and terrorism financing, in particular effectively fulfill relevant Financial Action Task Force on Money Laundering (FATF) recommendations.

⌚ Further enhance exchange of information and cooperation between relevant agencies of both Parties to effectively combat trafficking in illicit narcotic drugs, psychotropic substances and their precursors, and effectively implement the working arrangement between the European Monitoring Center for Drugs and Drug Addiction (EMCDDA) and relevant agencies of the Russian Federation.

⌚ Exchange information on respective strategies and laws to fight trafficking in human beings including to protect its victims, in accordance with the Parties' obligations under the UN Convention against Transnational Organized Crime and its Protocol on Trafficking in Human Beings and addressing possible deficiencies.

⌚ Ensure exchange of information and cooperation between relevant agencies of both Parties to effectively combat terrorism and trafficking in firearms and other serious transnational crimes, in accordance with applicable international law and legislation of the Parties.

Operational measures

⌚ Exchange information on respective strategies and laws to fight and to prevent corruption, including within the public sector, and address possible deficiencies.

⌚ Cooperate under the 1994 EU-Russia Partnership and Cooperation Agreement on the prevention of corruption.⌚ Follow relevant recommendations of Group of States Against Corruption (GRECO)

P75: VLAP RUSSIA.pdf - 75:7 [? Undertake necessary steps fo..] (5:117-5:1055) (Super)

Codes: [Criteria Absolving]

No memos

⌚ Undertake necessary steps for conclusion and effective implementation of a strategic and operational cooperation agreement between Europol and the Russian Federation.

Operational measures

- ⌚ Exchange information on relevant reforms of the law enforcement agencies to ensure their high level of capacity in, and enhance cooperation of the Parties aimed at, prevention, detection, suppression and solution of crimes, including in fight against transnational organized crime, and address possible deficiencies.
- ⌚ Strengthen bilateral and multilateral operational cooperation between law enforcement agencies and judicial authorities of EU Member States and Russia in order to fight transnational organized crime.
- ⌚ Conduct joint operations and use other operational means and methods of cross-border law enforcement cooperation between Russia, EU and its relevant agencies and interested Member States for relevant cases.

P75: VLAP RUSSIA.pdf - 75:8 [? Undertake necessary steps fo..] (5:1085-5:1515) (Super)

Codes: [Criteria Absolving]

No memos

- ⌚ Undertake necessary steps for conclusion and effective implementation of a cooperation agreement between Eurojust and the Russian Federation.
- ⌚ Accede to and implement the 1980 Convention on Civil Aspects of International Child Abduction and the 1996 Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibilities and Measures for the Protection of Children.

P75: VLAP RUSSIA.pdf - 75:9 [? Exchange relevant informatio..] (5:1540-5:1826) (Super)

Codes: [Criteria Absolving]

No memos

- ⌚ Exchange relevant information on implementation and effectiveness of extradition procedures, mutual legal assistance requests, execution of foreign courts decisions, transfer of sentenced persons, including statistics, strengthen cooperation and address possible deficiencies.

P75: VLAP RUSSIA.pdf - 75:10 [? Accede to and implement the ..] (5:1848-5:2097) (Super)

Codes: [Criteria Absolving]

No memos

- ⌚ Accede to and implement the 1981 Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and its 2001

Additional Protocol regarding supervisory authorities and transborder data flows.

P75: VLAP RUSSIA.pdf - 75:11 [? Ensure that all Russian and ..] (5:2129-6:1237) (Super)

Codes: [Criteria Absolving]

No memos

- ⌚ Ensure that all Russian and EU citizens and legally residing persons (regardless of the length of their authorised stay) can travel on equal basis with the Parties' own citizens within their respective territories, subject to their internal rules and regulations concerning national security.
 - ⌚ Ensure full-fledged and effective issuance of travel and identity documents, including with regard to their price and deadlines of procedures, to all categories of persons for example to all citizens, internally displaced persons, refugees, non-citizens and stateless persons including to persons belonging to minorities.
 - ⌚ Conduct training programs for law enforcement officials, prosecutors, judges and other practitioners in the areas covered by the present Block, and address possible deficiencies.
- Operational measures
- ⌚ Discuss and cooperate on relevant recommendations of UN bodies, OSCE, the Council of Europe and international human rights organizations in the areas of the freedom of movement and facilitation of people-to-people contacts.
 - ⌚ Discuss and cooperate on specific recommendations of UN bodies, OSCE, the Council of Europe and international human rights organizations in implementing anti-discrimination policies, protecting persons belonging to minorities and combating hate crimes.
 - ⌚ Discuss and cooperate on the applicable Council of Europe conventions, including the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms, in the areas covered by the Common Steps.

Results for “Criteria Submission”

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Criteria Submission

P54: review_of_visa_regulation_539_2001_com_2012_650_en (1).pdf - 54:5 [Fiji belongs to this region bu..] (5:1076-5:1347) (Super)

Codes: [Criteria Submission]

No memos

Fiji belongs to this region but in the light of the current political situation in the country and the lack of progress in complying with the essential elements of the Cotonou Agreement, it is not considered appropriate to propose transferring it to the positive list.

P54: review_of_visa_regulation_539_2001_com_2012_650_en (1).pdf - 54:6 [Papua New Guinea is also locat..] (5:1351-5:1627) (Super)

Codes: [Criteria Submission]

No memos

Papua New Guinea is also located in the region, but it is a very different in terms of the size of its population and its area. Moreover, it is currently experiencing difficult political conditions, which prevents it from being included on the visa-free list at this stage.

P54: review_of_visa_regulation_539_2001_com_2012_650_en (1).pdf - 54:7 [The 2006 revision of Regulatio..] (5:2220-5:2992) (Super)

Codes: [Criteria Submission]

No memos

The 2006 revision of Regulation (EC) No 539/2001

8

tried to clarify the situation of British citizens who are not nationals of the United Kingdom of Great Britain and Northern Ireland for the purposes of Union law. Some of them (the group of British nationals (overseas)) were listed under a new section of Annex II, while the remainder (British overseas territories citizens who do not have the right of abode in the United Kingdom, British overseas citizens, British subjects who do not have the right of abode in the United Kingdom and British protected persons) were listed under a new section of Annex I. This differentiation was judged necessary at the time because, among other reasons, there was believed to be a risk of irregular immigration.

P63: Explan Am 20030306.docx - 63:1 [The evaluation of the replies ..] (12:12) (Super)

Codes: [Criteria Submission]

No memos

The evaluation of the replies to the questionnaire, after a differentiated analysis of the criteria in the 5th recital to Regulation No 539/2001, produced the conclusion that Ecuador, currently in Annex II, should be transferred to Annex I. The Commission's proposal to do so is based primarily on considerations relating to illegal immigration, underpinned by figures and statistics from a number of Member States. Data regarding refoulements, expulsions, arrests and criminal convictions are particularly relevant here.

P64: Explan Am 20050602.docx - 64:1 [The first observation that has..] (8:8) (Super)

Codes: [Criteria Submission]

No memos

The first observation that has to be made is that whereas the nationals of some Member States or associated States are subject to a visa requirement by certain third countries on the positive list of Regulation (EC) No 539/2001 (United States/Greece; Brunei/Austria, Finland, Greece, Portugal, Iceland; Venezuela/Finland; Guatemala/Iceland), the States in question have refrained from initiating the reciprocity mechanism. Only they have the power to do so, and they are quite at liberty not to.

Appendix 3 – Reasons to flee according to clients from the ASKV/Steunpunt Vluchtelingen

From “Binnen: 25 jaar ASKV/Steunpunt Vluchtelingen”:

“I lost my parents when I was twelve years old. I was taken in by my uncle, but he did not take care of my well. I was lent to an older man who used to rape me at my uncle’s place. I got pregnant and gave birth to a girl. Then I got pregnant again, but drank agricultural poison in order to remove the foetus. The man who used to rape me then pressed charges, for it is a crime in Cameroon to commit abortion. The priest who used to take my confession in the hospital got me onto a ship out of Cameroon, so I could flee.”

- Violet A.

Violet’s reason to flee was that she would be prosecuted for committing abortion, but also because she was systematically raped. The fact that she would be prosecuted for abortion, but that the man who would systematically rape her could do so freely, points to the violation of several charters and conventions on human rights, including the Universal Declaration of Human Rights, the European Convention on Human Rights and Fundamental Freedoms, and the Convention on the Elimination of All Forms of Discrimination against Women.

“I fled at the age of 37 out of Iran. Life in Iran was unliveable. This was due to strong oppression, no freedom, no freedom of speech and an extremely religious government, among other reasons.”

- Ali T.

Ali has provided very clear reasons to flee. Note that he fled from an oppressive government. This would hardly qualify as a well-functioning democracy. Furthermore, he states that there was no freedom of speech. The European Convention on Human Rights and Fundamental Freedoms states that everyone has the right to freedom of thought, conscience and religion. Furthermore, this same convention states that everyone has the freedom of expression of these thoughts. Combined with the extremely religious government, we can assume that Ali fled circumstances that were in violation with at least the European Convention on Human Rights and Fundamental Freedoms and the Universal Declaration of Human Rights, as well as the badly functioning democracy.

“In dictatorial Bangladesh, it was a dangerous for me to be who I was: young, critical, and a journalist.”

- Poltu A.

Poltu does not reveal many details about the reasons why he fled, but it may be assumed that his identity of a young, critical journalist would have put his life, or at least his well-being, in danger. Note that he speaks of the dictatorial Bangladesh, which would prosecute him for his identity. Thus, it may be assumed that he fled a dictatorship. Furthermore, we once again see the violation of several articles of the European Charter of Human Rights and Fundamental Freedoms and the Universal Declaration of Human Rights, the ones on freedom of thought and freedom of expression.

“I left Russia, even though I had a fairly decent life there. However, my life became less and less decent after my daughter of 5 years old became sick, and burglars broke in and threatened my, after which the police did not do very much. As it turned out, my daughter had a severe form of leukaemia. In Moscow she was treated, but the treatment was very expensive and after the money ran out, treatment was stopped. On a tourist visa I travelled to Germany, in search for treatment for my daughter. In Berlin, I could afford only one session of chemotherapy. If treatment could not continue, my daughter would die very soon. Eventually we ended up in Amsterdam, where the doctors treated first, and asked for money later.”

- Ludmila B.

As Ludmila's story demonstrates, the social healthcare system and law enforcement work differently when you visit different places: Ludmila experienced very little help from the police force, and her daughter was treated for as long as Ludmila's money lasted. In Germany, the treatment was not provided to the necessary fullest as well, apparently. Only in the Netherlands she could get the treatment she needed for her daughter, at the price she could afford. This could be an indicator of low economic development (according to EU standards): the fact that her daughter was left for dead by the system as soon as her mother's money ran out, could be an indicator of low human security and situations of fragility.

“I lost my parents during one of the Liberian Civil Wars. I was taken in by my aunt, but she took bad care of me. They fed me, but I was not allowed to go to school. Furthermore, my aunt was very aggressive to me. At the moment that I was sent to the woods to undergo rituals, so that I might find a husband, I ran away, and fled with the help of a monk.”

- Benetta J.

Benetta is not explicit about what these rituals are, we can only guess. However, she was treated very badly. One could assume she fled out of fear for her security as a person.

“In 1991, the threats became so bad that I had no choice but to run away. Running away was very hard, because I had a baby of four months. The reason why I was threatened was because of my political activities. In 1986 I became politically active. I joined a political movement, which wanted to educate people to gain more democracy. Furthermore, I joined a group which rallied for women’s rights and women’s liberation. We would spread flyers and hold discussions. Often, men would stop us if we were making house calls.

Our activities became harder and harder to maintain. People started complaining with the police, so they would start watching us. Furthermore, we got in trouble with groups of radical Islamists. They were very dangerous. They raped and murdered one of my friends, and another we found in the hospital. She couldn’t talk anymore and did not know what happened to her. In my case, I got arrested once, and held for 24 hours. They wanted to know everything about me, my friends and my family. Eventually, I even started receiving death threats. That is when I decided to run away.”

- Samira Y.

Samira fled her country, because she was threatened for her political activities. These included rallying for more democracy, and women’s rights. The fact that she was threatened for standing up for these causes, indicates three things: the country didn’t respect democratic values to the fullest, women’s rights were not respected to the fullest, and freedom of thought and expression were not respected as well. Additionally, she was also threatened physically, her right to life (one of the universal human rights) and that of her friends were not respected, so to say.

“I fled my country after my husband was murdered. The murderers also came after me. I was tortured and raped, and left for dead. I managed to escape.”

- Anna A.

Anna does not elaborate on what happened, but the attempt to take her life can be seen as very serious. In other words, her right to life (a universal human right) and that of her husband was not respected.

“The reason I was exiled, was that I was involved in the protests that were held at the campus of our university in December 2001. I was a third year student medicine at the time. We were protesting against the increase of the tuition in Kinshasa, while the tuition in Lumumbashi remained the same. But the protests gave also rise to hidden frustrations against president Kabila. We were done for.

The police interfered very harshly. They used tanks and helicopters, and a lot of students were arrested. A new wave followed two weeks later at the campus and outside of it. In the second wave, I was arrested and detained. They accused me of delivering a speech at the protests.

I was tortured, because the police wanted information about the people who organised the rallies. With the back of their weapons they beat me everywhere. At night, we heard screaming and gunfire. I presume that people were murdered. I was detained for a month, until my father, who worked at the Ministry of Defence, contacted a colleague of him to help me escape. I had a wife and child, but I had no other choice than to flee my country.”

- Papy K.

Papy was targeted by the police for being part of a protest, which was initially against unequal heights of tuition, but also against president Kabila. Here, we see disregard for freedom of expression and thought, and an oppressive government. Furthermore, they abused him harshly, he had no security of person.

“In 1995 I fled Syria. I was politically active against the regime of Hafez al-Assad, the father of the current president Bashar, who reigned until the year 2000. Hafez al-Assad was almost as cruel against the Kurds as his son, who is currently responsible for most of the cruelties in the civil war. Hafez took the citizenship away from the Kurds, the Kurdish language was prohibited, and singing songs in that language could get you arrested and thrown in to prison.

I was not the only one who rallied against Hafez. Many young Kurds opposed him. The response of the regime was incredibly hard: men, women, and children were randomly arrested and tortured, and some disappeared forever.”

- Omar A.

Omar experienced a lot of violence as a Kurd and a politically active young man rallying against Hafez al-Assad. Obviously, he fled an oppressive regime, but more importantly, he reports systematic oppression against the Kurds. This oppression takes form in the violation of several universal human rights, but also fundamental rights and freedoms according to the EU. These include: discrimination on the basis of ethnic origin, arbitrary arrest and detention, torture, the right to expression and the freedom of thought. Furthermore, the citizenship of the Kurds was taken away from them, impairing them in their access to several features that the universal declaration states you have a right to.

“In Congo I had studied electronics, and worked in a family business. Even though my father was the mayor, I had the feeling that I did not get sufficient opportunities to develop myself. That’s why I became active in the Union Démocratique pour le Progrès Social, the UDPS. This political movement, created in the eighties, rallied for democracy and freedom of speech. However, political activities were prohibited in Zaïre (how Congo was named those days). Zaïre was ruled by a true dictatorship, with only one party in charge, the Mouvement Populaire de la Révolution, of which president Mobutu was the leader. Everyone who voiced a different political conviction was targeted by the secret service and the political police. Many people fell victim to the regime; many of them were killed.

I got in to trouble two times, resulting in incarceration. After I went into hiding, some people helped me escape the country. That’s when I went to the Netherlands, via Antwerp.”

- Jean-Adelard B.

Insufficient opportunity made Jean-Adelard join the UDPS, a movement which became the target for the dictatorship through their support for democracy and freedom of speech. From his testimony, it is clear that Jean-Adelard fled from oppression, in the form of a dictatorship, with arbitrary incarceration, repression of the freedom of thought and the freedom of opinion and expression, the right to life and, indirectly, a bleak future in terms of opportunity.

“I didn’t know my father, my mother was always sick. My sister had to work very hard to sustain me and herself. As a child I always walked barefoot. We had one meal a day. The worst thing was the war, I cannot talk about that. In 1959, I was 14 years old then, I fled the country. A Catholic Spanish couple took me to Spain. They didn’t have any children of their own, I was like a son to them.”

- Youcef F.

Youcef's account of why he fled is somewhat unclear. This is likely due to the traumas he experiences: he cannot talk about the worst thing that has happened to him, the war. However, glancing at the other accounts of why one flees their country, it is likely that war was Youcef's reason to flee.

"In Azerbaijan things went the same as in many places: if the police wanted to arrest you, they would arrest you. Whether or not you had papers, whether or not you did something, it didn't matter. I was arrested several times for my homosexuality. At this time it is better, but thirteen years ago, you were easily arrested as a homosexual in Azerbaijan. Now, there is legal protection for homosexuals.

The decision to flee came when I was once more arrested for being gay. It took me 3000 euro to get here."

- David V.

David's reason to flee is made very clear: he experienced harassment for his sexual orientation. This is contradictory to the Universal Declaration of Human Rights, which states that no one should be subjected to arbitrary arrest, detention or exile. Furthermore, it also contradicts the Charter on Fundamental Rights of the European Union, which states that any discrimination on the basis of grounds such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.

"Inner Mongolians are stuck in the same position as the Tibetans or Uighurs. Every call for more freedom is regarded by China as separatism and is fought with very hard repression. Public outings of the original Inner Mongolian culture and habits, apart from innocent folkloristic events, always lead to conflicts with the Chinese Security Services."

- Tsetsgee B.

The story of Tsetsgee shows oppression on the basis of ones belonging to a specific social or ethnic group. Furthermore, it appears that the Inner Mongolians, as well as the Tibetans and the Uighurs, are experiencing restrictions on their rights to expression, freedom of thought, conscience and opinion and the freedom to participate in the cultural life of the community.

“In 1988, I visited Switzerland as a young tourist. There, I went to church for the first time. I immediately chose Christianity as my faith. After my return in Algeria, that choice made my life more difficult. In the country, a bloody civil war between state and Islamists broke out. I was doing my shift as a nurse in a dormitory in Tizi-Ouzou, when the Islamist fighters came to us in the night and demanded medicine for their wounded brothers in arms in the mountains. It was then that I realized I had to flee.”

- Ali L.

Ali decided to flee while Algeria experienced a civil war in which the state fought with Islamist insurgents. When he was visited by Islamist fighters visited him and demanded medicine, he decided to flee. It appears as if Ali was afraid that they might hurt him because of his new found faith. Thus we see that Ali fled not only because of war, but also because he felt his freedom of religion was threatened.

“My father was active in the Hindu-community in Chittagong and our house was set on fire. With my little brother I fled one way, while my parents and my older brothers fled another. Later, I also lost my little brother. Friends of my father helped me to flee the country.”

- Bhushan C. N.

Although not explicitly stated, it appears that Bushan’s father’s membership of the Hindu-community and the act of setting their house on fire are related to each other. With that assumption, one could say that Bhushan fled because of the violence committed against him and his family on the grounds of his father’s religion. Their freedom of religion was not respected.

“I was born in a village not far from Kampala, Uganda. I was locked up in prison for my sexual orientation. After I escaped, I fled to the Netherlands.”

- Samuel K.

Samuel makes clear that he was incarcerated for his sexual orientation. This goes against the principles of the Charter of Fundamental Rights of the European Union, in the sense that Samuel is being discriminated on the basis of his sexual orientation. Furthermore, one could see this as arbitrary detention, and thus it goes against the Universal Declaration of Human Rights as well.

“My husband and I were publicly active for the Union Démocratique pour le Progrès Social, the UDPS. He had a highly placed function within the party and organized meetings and rallies, and we made pamphlets together. One day, my husband was arrested, after which I never saw him again. Together with other women I started protesting in order to get our husbands back. At that point I was arrested myself. I have spent two years in prison, and experienced horrible things. My husband was probably murdered. In 1990 I fled to the Netherlands”

- Françoise N.

The story of Françoise shows similarities with Jean-Adelard's story mentioned earlier. Françoise and her husband supported the UDPS. The UDPS, as told by Jean-Adelard, rallied for more democracy and freedom of speech. Françoise's husband was arrested, presumably for his involvement with the UDPS, similarly to Jean-Adelard's story, and after protesting for her husband's freedom, she was incarcerated as well. Here we see that freedom of expression and freedom of thought are repressed, as well as the freedom of opinion and conscience. Furthermore, we see discrimination on the basis of political opinion.

“I remember that that afternoon, my father gave me two American coins. “My friend”, he said to me, “keep them safe, through these coins, you take me everywhere.” I was thirteen years old. That was back in 2002, in February. It was a holiday, everyone was relaxed in the villa neighbourhood that we lived in, but at my house, it was very tense. My father was under a lot of pressure. As a former employee of the intelligence agency of the MPLA, the government party, they made a pressing appeal on his skills. He was supposed to deal with an opposing movement. He knew what “dealing with” meant and refused. His former colleagues started to use more threatening language. That night, around six, an arrest team arrived at our doorstep. He had to come with them.

My brother and I hid in the basement. Through a small window we saw everything. The former colleague of my father who led the arrest team, and my mother, who also came outside. My father who did not want to come with, who resisted heavily, who tried to take one of the guns, and was violently beaten. We heard the yelling and we heard gunfire. Afterwards, they went inside the house and searched for us. My brother hid me underneath a pile of clothes. Meanwhile, the whole neighbourhood turned out and the arrest team left. “Close your eyes”, said my brother. But I had to look, and saw my father sieved through with bullets. My mother lay silently next to him, also covered in blood. I fainted. In the hospital, my father's best friend stood next to my bed. “Get out”, he said. He was his confidante. My father had organized everything already.”

- Benja A.

Benja's father was murdered for his disobedience to the government. Here we can see cruel acts of a very oppressive government, and the clear violation of several human rights.

Summary

From the above mentioned statements, we can deduce that the following are reasons to flee:

- Oppressive government/Dictatorship
- Disregard for the Universal Right to life, liberty and security of person
- Disregard for the Universal Right to freedom of thought, conscience and religion
- Disregard for the Universal Right to freedom of opinion and expression
- Low human security (in terms of public services)
- Disregard for the prohibition of discrimination on grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation (as written down in the Charter on Fundamental Rights of the European Union)
- Disregard for Article 9 of the Universal Declaration of Human Rights: No one shall be subjected to arbitrary arrest, detention or exile
- Disregard for Article 5 of the Universal Declaration of Human Rights: No one shall be subjected to torture or to cruel, inhumane or degrading treatment or punishment
- Limited opportunities to develop one's self/Low economic development
- Political instability/War

Appendix 4 – List of Criteria used for visa exemption or subjection, cross referenced with reasons why people flee
(dark red shading, bold white text)

Criteria for exemption of visa requirement	Criteria for subsection to visa requirement
<ul style="list-style-type: none"> • Well-established democracy • Political stability <ul style="list-style-type: none"> ○ Good governance of public administration ○ Peace <ul style="list-style-type: none"> ▪ Combat activities that fuel conflict ▪ Reintegration of former combatants ▪ Application of agreed standards and codes of conduct ▪ Mechanisms to prevent, manage and resolve conflicts ▪ Fight against terrorism ▪ Counter proliferation of weapons of mass destruction ○ Democratic principles ○ Strong regional coherence ○ Absence of pressing international relations issues • High economic development <ul style="list-style-type: none"> ○ Poverty reduction ○ High human security ○ No situations of fragility ○ With concern for the environment • High social development • Good public health 	<ul style="list-style-type: none"> • Dictatorship/Badly established democracy • Political instability <ul style="list-style-type: none"> ○ Bad governance of public administration ○ War/Conflict <ul style="list-style-type: none"> ▪ Promote/disregard activities that fuel conflict ▪ Disregard former combatants ▪ Violate/disregard agreed standards and codes of conduct ▪ Disregard prevention, management and resolving conflicts ▪ Promote/disregard terrorism ▪ Promote/disregard the proliferation of weapons of mass destruction ○ Disregard/violate democratic principles ○ Weak regional coherence ○ Pressing international relations issues • Low economic development <ul style="list-style-type: none"> ○ (Induce/disregard) poverty ○ Low human security ○ Situations of fragility ○ Disregard environment • Low social development • Bad public health (diseases, etc.)

<ul style="list-style-type: none"> • Strong rule of law <ul style="list-style-type: none"> ○ Migratory law, governing the movement of people and goods (possibly in line with the principles and best practices of the EU Border Code and Schengen Catalogue) in function <ul style="list-style-type: none"> ▪ Respecting human rights, and combating xenophobia ○ Laws on the stay of aliens and asylum, also for family of third country nationals, stating their rights and obligations in function ○ Cooperation with international conventions on criminal matters ○ Law enforcement cooperation ○ Judicial cooperation ○ Protection of personal data in order ○ <i>Connections with Eurojust (if applicable)</i> ○ Connections with Europol in order ○ Absence of organised crime • Absence irregular migration <ul style="list-style-type: none"> ○ Repatriation of citizens residing irregularly in the territory of the EU ○ National returnee reintegration strategy present ○ Sanctions for facilitating irregular migration present ○ Monitoring Mechanism for migration flow (both legal and irregular) present ○ Bodies responsible for collecting data on migration stocks and flows established ○ Policies on expulsion of irregularly residing persons in the territory present ○ Combat (organized) (facilitated) irregular migration ○ Integration policy for migrants, including financial and social support present ○ Curbing irregular migration to the EU ○ Facilitate voluntary return of third country nationals irregularly residing in the territory and willing to return ○ Sufficient infrastructure to deal with irregular migration (including detention centres) present 	<ul style="list-style-type: none"> • Weak rule of law <ul style="list-style-type: none"> ○ No migratory law ○ No law on stay of aliens or asylum ○ No cooperation regarding criminal matters ○ No law enforcement cooperation ○ No judicial cooperation ○ No protection of personal data ○ <i>No connections with Eurojust (when applicable)</i> ○ No connections with Interpol ○ Presence/promotion/disregard of organised crime • Presence/disregard/promote irregular migration <ul style="list-style-type: none"> ○ No repatriation of own citizens residing irregularly in the EU ○ No national returnee reintegration strategy ○ Promote/disregard facilitation of irregular migration ○ No monitoring migration flows ○ No working body for data collection on migration stocks and flows ○ No policies on expulsion of irregularly residing persons ○ Promote/disregard (organized) (facilitated) irregular migration ○ No integration policy for migrants ○ Promote/disregard irregular migration to the EU ○ No facilitation of voluntary return of irregularly residing persons willing to return ○ Insufficient infrastructure to deal with irregular migration
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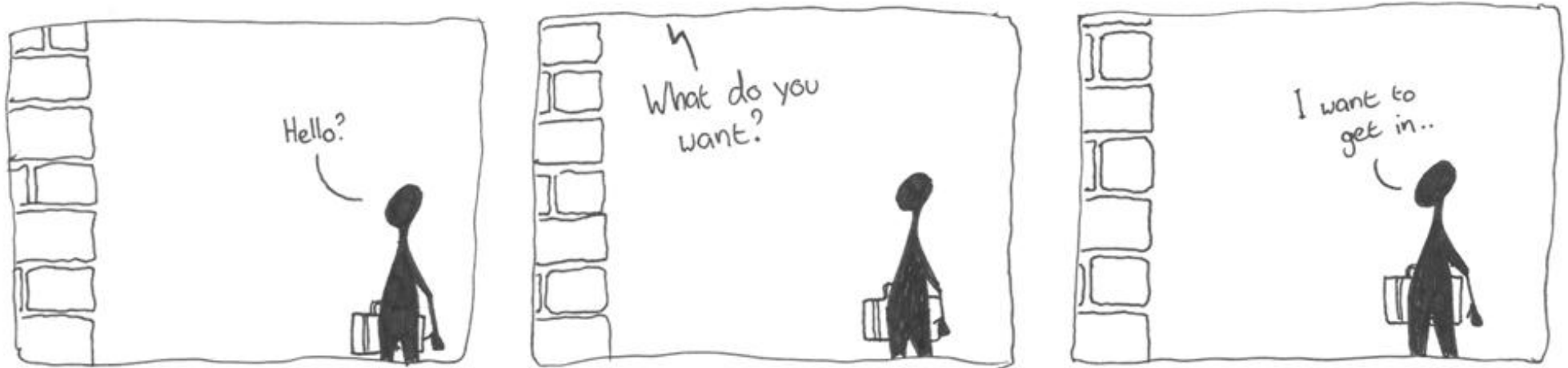
<ul style="list-style-type: none"> • Strong border controls <ul style="list-style-type: none"> ○ Cooperation with European police forces present ○ Controls functioning in a cross-border manner ○ Legislation governing external border crossing present ○ Efficient infrastructure, IT technology and equipment at external border present ○ Working arrangements with FRONTEX in function ○ Strong cooperation among national entities present • Strong visa policy <ul style="list-style-type: none"> ○ Visa Information Systems in function ○ Visa issuance at border as an exceptionality ○ Airport Transit Visas instated ○ Impose visa requirements for countries that pose risk of irregular migration to EU ○ Visa Reciprocity • Strong asylum policy <ul style="list-style-type: none"> ○ Legislation according to international standards and EU legal framework and standards in function ○ Sufficient infrastructure and strengthening of institutions for the benefit of asylum procedures and reception of asylum seekers completed • Strong document security <ul style="list-style-type: none"> ○ Biometric identifiers ○ Machine readable ○ Sufficient administrative staff ○ Report to Europol in case ID are lost/stolen ○ Training and ethical codes against corruption for officials ○ Strict procedures regarding issuance of documents 	<ul style="list-style-type: none"> • Weak border controls <ul style="list-style-type: none"> ○ No cooperation with European police forces ○ No cross-border controls ○ No legislation governing external border crossing ○ Inefficient/no infrastructure, IT technology and equipment at external border ○ No working arrangements with FRONTEX ○ No/weak cooperation among national entities • Weak/no visa policy <ul style="list-style-type: none"> ○ No Visa Information Systems ○ Regular issuance of visas at external border ○ No airport transit visa ○ Visa facilitation/no visa requirements for countries that pose risk of irregular migration to the EU ○ No Visa Reciprocity/Visa requirements for EU Member States • Weak/no asylum policy <ul style="list-style-type: none"> ○ Weak/no legislation on asylum ○ Insufficient/no infrastructure or weak/no institutions for asylum procedures and reception of asylum seekers • Weak/no document security <ul style="list-style-type: none"> ○ No use of biometric identifiers ○ Not machine readable ○ Insufficient administrative staff ○ No connections with Europol regarding ID loss/theft ○ No/disregard for training and ethical codes against corruption ○ Loose/no procedures regarding issuance of documents
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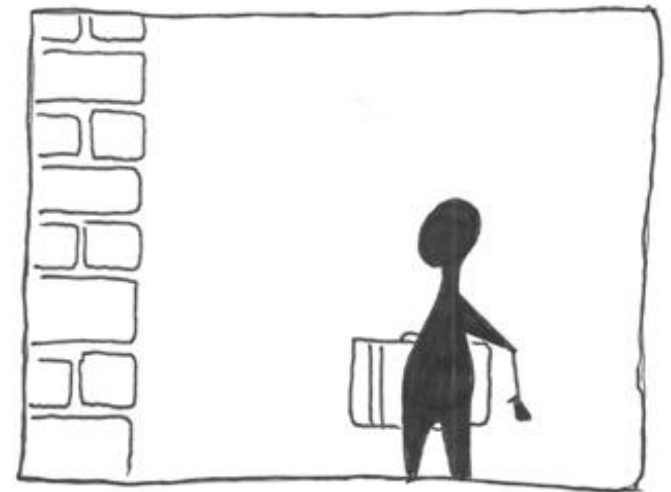
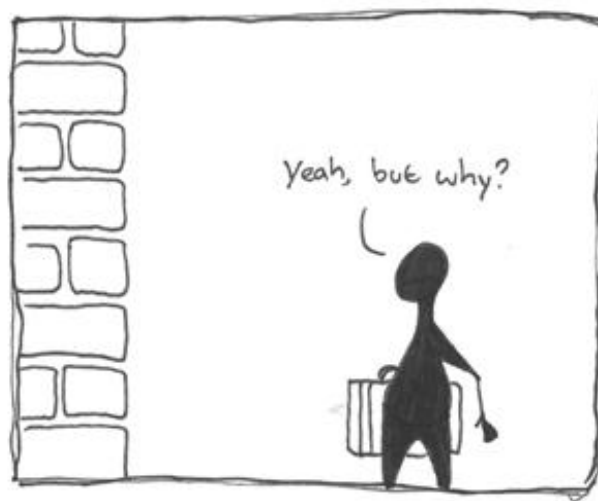
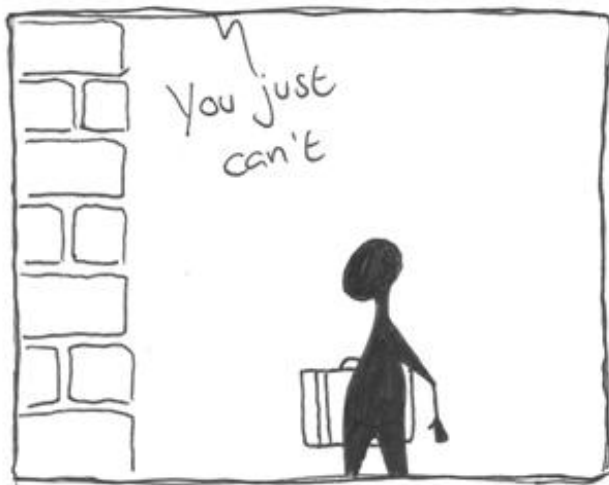
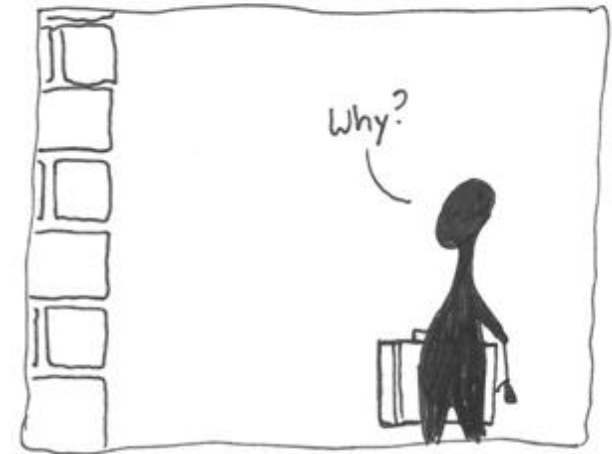
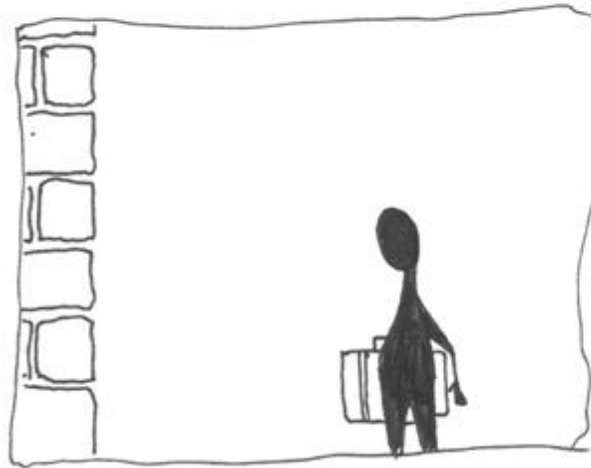
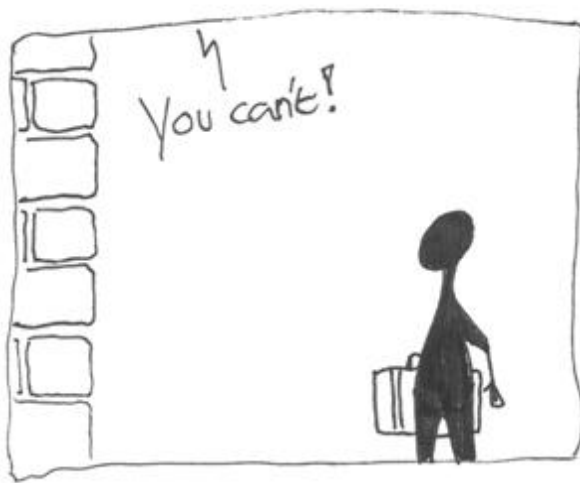
<ul style="list-style-type: none"> • No risk to public order and security of Member States <ul style="list-style-type: none"> ○ Absence of trafficking of human beings ○ Absence of money laundering ○ Absence of financing of terrorism ○ Absence of drug trafficking ○ National Drug Action Plan ○ Absence of corruption ○ Join in the fight against terrorism • Respect for fundamental rights <ul style="list-style-type: none"> ○ Respect for international refugee law and its non-refoulement ○ Respect for the rights and dignity of victims of human trafficking ○ Protection of children ○ Respect for the Universal Declaration of Human Rights ○ 1993 Vienna Convention on Human Rights ○ Covenants on Civil and Political Rights of Economic, Social and Cultural Rights ○ Convention on the Rights of the Child ○ Convention on the Elimination of all forms of Racial Discrimination ○ Convention on the Elimination of all forms of Discrimination against Women ○ 1949 Geneva Conventions and all other forms of international humanitarian law ○ 1954 Convention relating to the status of stateless persons ○ 1951 Convention relating to the Status of Refugees 	<ul style="list-style-type: none"> • Possible risk for public order and security of Member States <ul style="list-style-type: none"> ○ Promote/disregard/insufficiently battle trafficking of human beings ○ Promote/disregard/insufficiently battle money laundering ○ Promote/disregard/insufficiently battle financing of terrorism ○ Promote/disregard/insufficiently battle drug trafficking ○ No/weak National Drug Action Plan ○ Promote/disregard/insufficiently battle corruption ○ Disregard fight against terrorism • Disregard/violate/promote violation of fundamental rights <ul style="list-style-type: none"> ○ Disregard/violate/promote violation of international refugee law and its non-refoulement ○ Disregard/violate/promote violation of rights and dignity of victims of human trafficking ○ Disregard protection of/threaten children ○ Disregard/violate/promote violation of the Universal Declaration of Human Rights ○ Disregard/violate/promote violation of 1993 Vienna Convention on Human Rights ○ Disregard/violate/promote violation of the Covenants on Civil and Political Rights of Economic, Social and Cultural Rights ○ Disregard/violate/promote violation of the Convention on the Rights of the Child ○ Disregard/violate/promote violation of the Convention on the Elimination of all forms of Racial Discrimination ○ Disregard/violate/promote violation of the Convention on the Elimination of all forms of Discrimination against Women ○ Disregard/violate/promote violation of the 1949 Geneva Conventions or any other form of international humanitarian law ○ Disregard/violate/promote violation of the 1954 Convention relating to the status of stateless persons ○ Disregard/violate/promote violation of the 1951 Convention relating to the Status of Refugees
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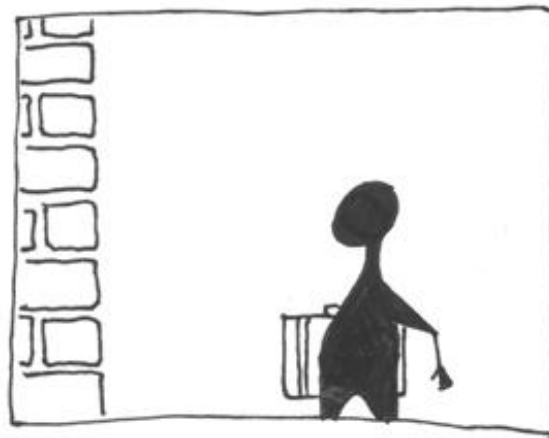
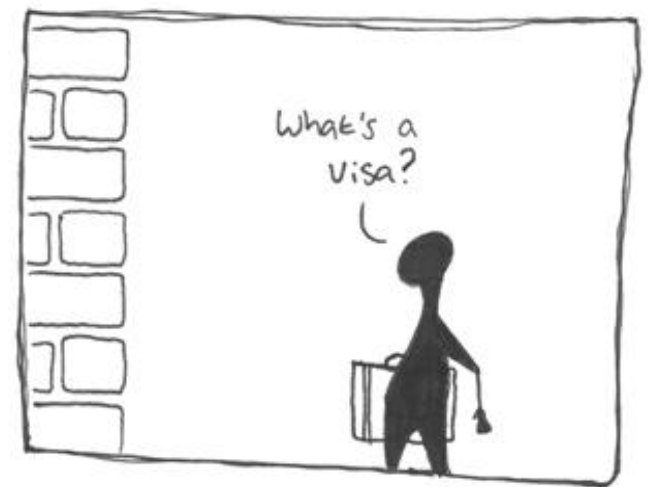
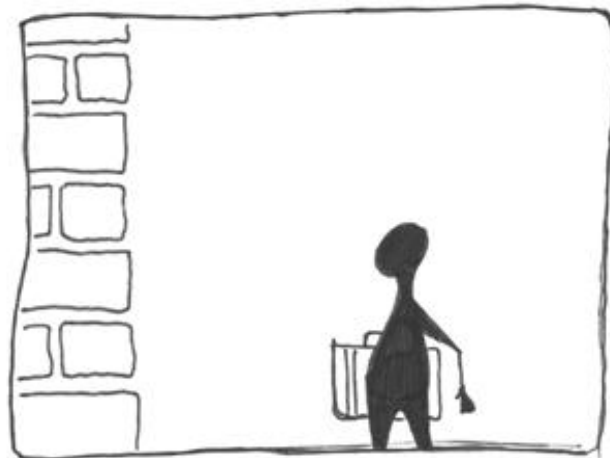
<ul style="list-style-type: none"> ○ 1967 New York Protocol relating to the Status of Refugees ○ Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe ○ African Charter on Human and Peoples' Rights ○ American Convention on Human Rights ○ Respect for freedom of movement ○ Respect for the EU Convention on Human Rights ○ Absence of discrimination on the basis of: <ul style="list-style-type: none"> ▪ Sex ▪ Race ▪ Colour ▪ Ethnic or social origin ▪ Genetic features ▪ Language ▪ Religion or belief ▪ Political or any other opinion ▪ Membership of a national minority ▪ Property ▪ Birth ▪ Disability ▪ Age ▪ Sexual orientation ▪ Or other... ○ Access to identity documents for citizens, without discrimination ○ Access to identity documents for refugees, without discrimination 	<ul style="list-style-type: none"> ○ Disregard/violate/promote the 1967 New York Protocol relating to the Status of Refugees ○ Disregard/violate/promote violation of the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe ○ Disregard/violate/promote violation of the African Charter on Human and Peoples' Rights ○ Disregard/violate/promote violation of the American Convention on Human Rights ○ Disregard/violate/promote violation of the freedom of movement ○ Disregard/violate/promote violation of the EU Convention on Human Rights ○ Disregard/promote discrimination on the basis of: <ul style="list-style-type: none"> ▪ Sex ▪ Race ▪ Colour ▪ Ethnic or social origin ▪ Genetic features ▪ Language ▪ Religion or belief ▪ Political or any other opinion ▪ Membership of a national minority ▪ Property ▪ Birth ▪ Disability ▪ Age ▪ Sexual orientation ▪ Or other... ○ No/limited access to identity documents for citizens, without discrimination ○ No/limited access to identity documents for refugees, without discrimination
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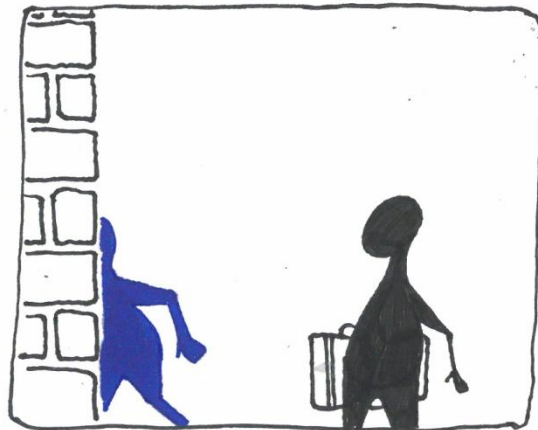
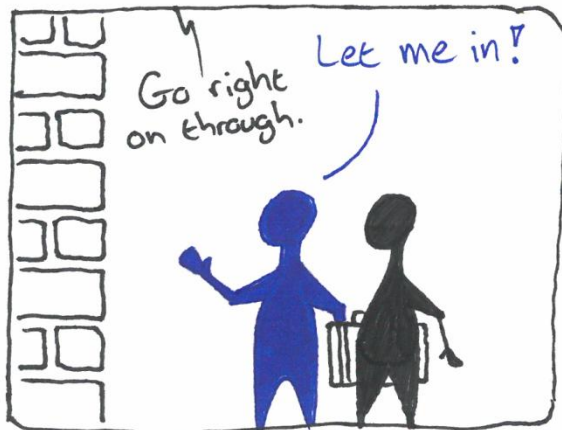
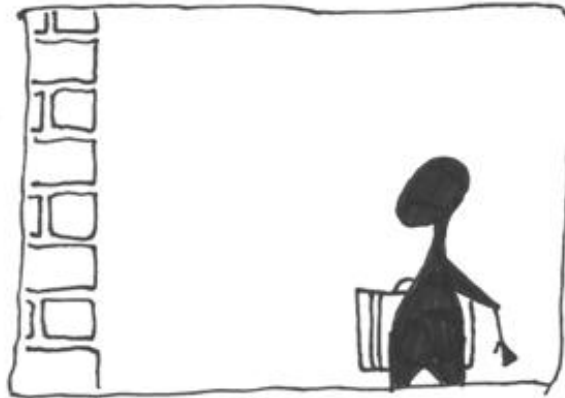
<ul style="list-style-type: none"> ○ Specify conditions of acquiring citizenship ○ Investigating all ethically motivated incidents ○ Ensure the provisions and protection of minorities ○ Enforce protection against discrimination ● <i>Strong commitment to EU plans/Relationship with EU (if applicable)</i> <ul style="list-style-type: none"> ○ <i>Comply with several EU Conventions</i> <ul style="list-style-type: none"> ▪ <i>Convention Against Trafficking</i> ▪ <i>EU Convention on Human Rights</i> ▪ <i>Convention on Cyber Crime</i> ▪ <i>1980 Hague convention on child abduction</i> ▪ <i>1996 Hague convention on jurisdiction, etc., of parental responsibility</i> ▪ <i>2007 Hague convention on international recovery of child support</i> 	<ul style="list-style-type: none"> ○ Unclear conditions on acquiring citizenship ○ Disregard for/no investigation of any ethically motivated incidents ○ Disregard provisions and protection of minorities ○ Disregard enforcement of protection against discrimination ● <i>No/weak commitment to EU plans/Relationship with EU (if applicable)</i> <ul style="list-style-type: none"> ○ <i>Disregard for any of the following EU Conventions</i> <ul style="list-style-type: none"> ▪ <i>Convention Against Trafficking</i> ▪ <i>EU Convention on Human Rights</i> ▪ <i>Convention on Cyber Crime</i> ▪ <i>1980 Hague convention on child abduction</i> ▪ <i>1996 Hague convention on jurisdiction, etc., of parental responsibility</i> ▪ <i>2007 Hague convention on international recovery of child support</i>
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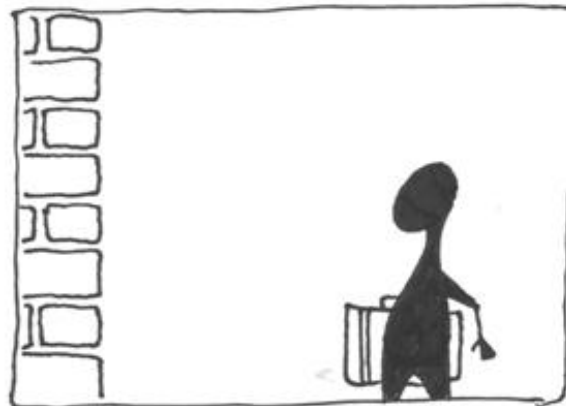
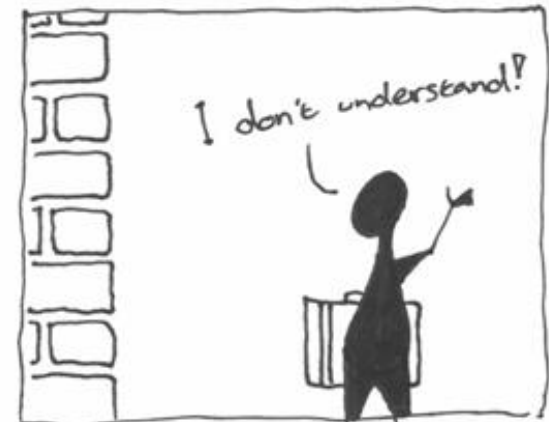
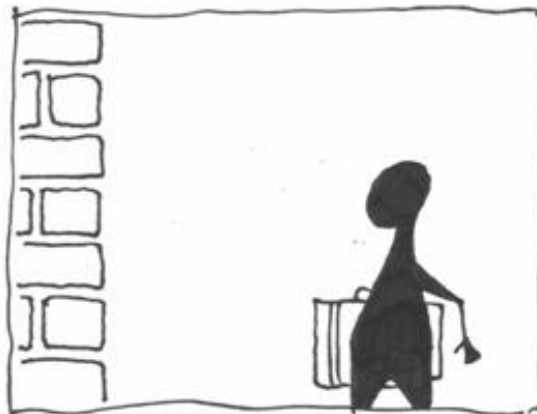
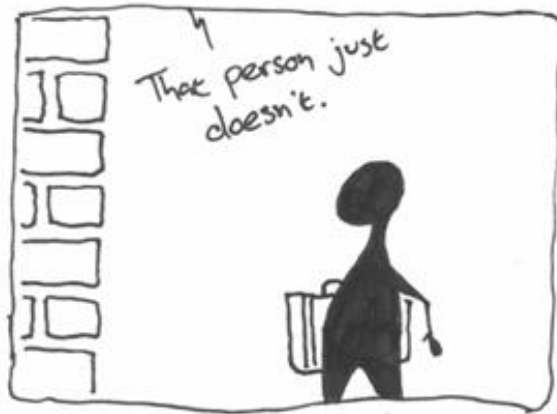
Appendix 5 – Full Comic: “Access Denied.”

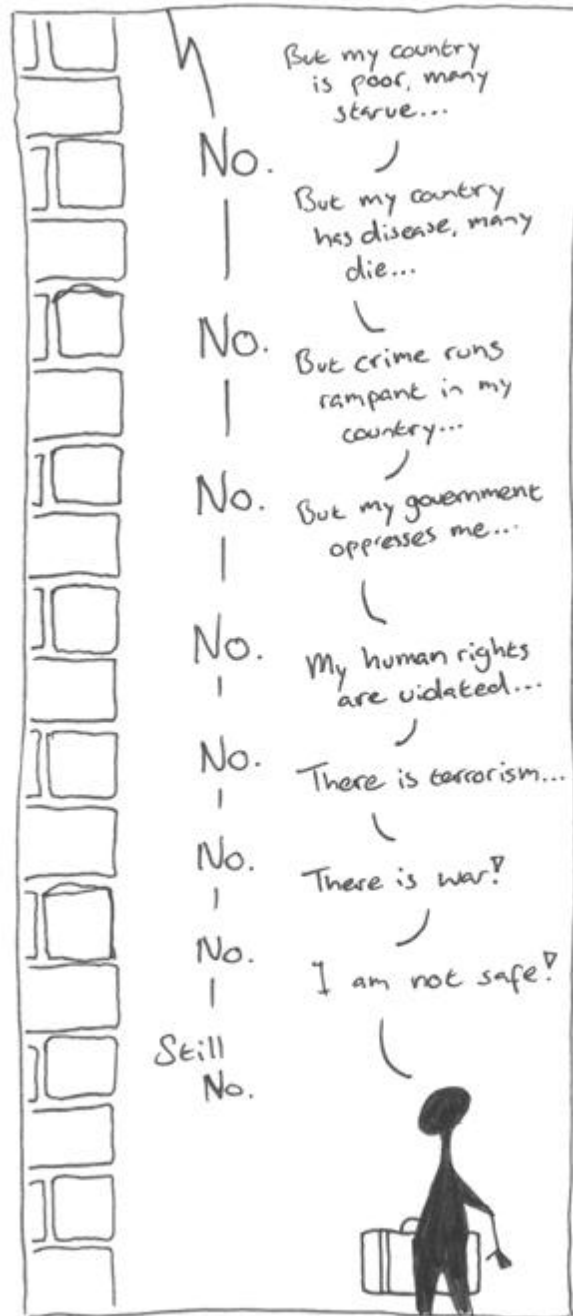












But my country
is poor, many
starve...

No.

But my country
has disease, many
die...

No.

But crime runs
rampant in my
country...

No.

But my government
oppresses me...

No.

My human rights
are violated...

No.

There is terrorism...

No.

There is war?

No.

I am not safe?

Still
No.



