








Procedure file

Basic information		
NLE - Non-legislative enactments	2017/0169(NLE)	Procedure completed
EU/Bahamas Agreement: short-stay visa waiver		
See also 2009/0020(CNS)		
Subject 6.40.06 Relations with ACP countries, conventions and generalities 7.10.04 External borders crossing and controls, visas		
Geographical area Bahamas		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 PAVEL Emilian	25/09/2017
		Shadow rapporteur	
		 GÁL Kinga	
		 STEVENS Helga	
		 MICHEL Louis	
	 VALERO Bodil		
Council of the European Union	Council configuration	Meeting	Date
	Environment	3666	20/12/2018
	Agriculture and Fisheries	3571	06/11/2017
European Commission	Commission DG Migration and Home Affairs	Commissioner AVRAMOPOULOS Dimitris	

Key events			
28/07/2017	Preparatory document	COM(2017)0394	Summary
24/10/2017	Legislative proposal published	12389/2017	Summary
28/05/2018	Committee referral announced in Parliament, 1st reading/single reading		
27/09/2018	Vote in committee, 1st reading/single reading		
02/10/2018	Committee report tabled for plenary, 1st reading/single reading	A8-0304/2018	Summary
23/10/2018	Results of vote in Parliament		
23/10/2018	Decision by Parliament, 1st	T8-0388/2018	Summary

	reading/single reading		
20/12/2018	Act adopted by Council after consultation of Parliament		
20/12/2018	End of procedure in Parliament		
21/01/2019	Final act published in Official Journal		

Technical information

Procedure reference	2017/0169(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
	See also 2009/0020(CNS)
Legal basis	Treaty on the Functioning of the EU TFEU 077-p2; Treaty on the Functioning of the EU TFEU 218-p6a
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/10557

Documentation gateway

Document attached to the procedure	COM(2017)0395	28/07/2017	EC	
Preparatory document	COM(2017)0394	28/07/2017	EC	Summary
Legislative proposal	12389/2017	24/10/2017	CSL	Summary
Document attached to the procedure	12388/2017	24/10/2017	CSL	
Committee draft report	PE616.766	02/02/2018	EP	
Committee report tabled for plenary, 1st reading/single reading	A8-0304/2018	02/10/2018	EP	Summary
Text adopted by Parliament, 1st reading/single reading	T8-0388/2018	23/10/2018	EP	Summary

Final act

[Decision 2019/77](#)
[OJ L 018 21.01.2019, p. 0015](#) Summary

EU/Bahamas Agreement: short-stay visa waiver

PURPOSE: to conclude an agreement amending the agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: by Decision of 30 November 2009, the Council concluded the agreement between the European Community and the Bahamas on the short-stay visa waiver.

[Regulation \(EU\) No 610/2013](#) amended the Convention implementing the Schengen Agreement (CISA), [Regulation \(EC\) No 562/2006](#) (Schengen Borders Code) and [Regulation \(EC\) No 810/2009](#) (the Visa Code). In so doing, it has redefined the term of 'short-stay' for third-country nationals in the Schengen area.

As from 18 October 2013, for third-country nationals ? irrespective of being visa required or exempt ? who intend to travel to the Schengen

area for a short-stay, the maximum duration of authorised stay is defined as '90 days in any 180-day period'.

The agreement between the Union and the Bahamas on the short-stay visa waiver should incorporate this new definition.

With a view to implementing the new definition of short stay provided for in the amendment to the Schengen Borders Code, the Commission adopted on 16 July 2014 a recommendation for a Council Decision authorising negotiations to amend the Schengen the short-stay visa waiver between the European Union and seven countries: Antigua and Barbuda, the Bahamas, Barbados, Brazil, Mauritius, Saint Kitts and Nevis and the Seychelles.

The negotiations with the Bahamas were successfully finalised by the initialling of the amending agreement on 30 August 2016.

CONTENT: this proposal is presented to the Council to authorise the conclusion of the Agreement amending the Agreement between the European Community and the Bahamas on the short-stay visa waiver.

The amendments introduced by the final agreement cover the following points:

Duration of stay: the final agreement provides for visa-free travel for the citizens of the European Union and for the citizens of the Bahamas when travelling to the other Contracting Party for a maximum period of 90 days in any 180-day period (instead of a maximum period of three months during a six months period following the date of first entry).

A joint statement on the interpretation of the 90-day period over any 180-day period is attached to the amending agreement.

Suspension of the agreement: the agreement provides that suspension of the waiver shall be lifted if the suspension is no longer required.

All other provisions of the existing agreement between the European Community and the Bahamas on the short-stay visa waiver remain unaffected by the amending agreement, including the territorial scope.

The provisions of the agreement shall not apply to the United Kingdom or to Ireland.

EU/Bahamas Agreement: short-stay visa waiver

PURPOSE: to conclude, on behalf of the Union, the Agreement between the European Union and the Bahamas amending the Agreement between the European Community and the Bahamas on the short-stay visa waiver.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: by its Decision 2009/897/EC, the Council concluded the Agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver.

The Agreement provides for visa-free travel for the citizens of the Union and for the citizens of the Bahamas when travelling to the territory of the other Contracting Party for a maximum period of three months during a six months period.

[Regulation \(EU\) No 610/2013](#) of the European Parliament and of the Council introduced horizontal changes in the Unions visa and border acquis and defined a short stay as a maximum of 90 days in any 180-day period.

It is necessary to incorporate this new definition into the Agreement in order to fully harmonise the Unions short-stay regime.

The Commission negotiated, on behalf of the Union, an agreement with the Bahamas which amends the Agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver (the amending Agreement).

CONTENT: the draft Council Decision now seeks the approval, on behalf of the Union, of the Agreement between the European Union and the Bahamas amending the Agreement between the European community and Bahamas on the short-stay visa waiver.

The provisions of the Agreement do not apply to the United Kingdom or to Ireland.

EU/Bahamas Agreement: short-stay visa waiver

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Emilian PAVEL (S&D, RO) on the draft Council decision on the conclusion, on behalf of the Union, of the Agreement between the European Union and the Commonwealth of the Bahamas amending the Agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver.

The committee recommended that the European Parliament give its consent to the conclusion of the agreement.

The Agreement amending the Agreement between the European Community and the Commonwealth of the Bahamas ensures legal coherence and harmonisation between Member States, in accordance with the new definition of short-term stay provided by the Schengen Borders Code amendment, which clarifies the meaning of this term (a stay of up to 90 days in any 180-day period).

The Bahamas is a member of the African, Caribbean and Pacific Group of States, Association of Caribbean States, Caribbean Community (though not the CARICOM Single Market and Economy), Non-Aligned Movement, Organization of American States and United Nations.

The explanatory statement accompanying the recommendation notes the following points:

- economically, the Bahamas is among the wealthiest countries in the Caribbean region; it is now a significant financial centre and ship registry, among the largest in the world in terms of gross tonnage registered;
- politically speaking, the Bahamas is a constitutional monarchy. The country is a parliamentary democracy with a bicameral legislature;
- the EUs political dialogue with the various ACP countries and the Commonwealth of the Bahamas in particular is gradually increasing.

The new visa waiver agreement will enable citizens not only to derive full benefit from the ACP-EU partnership but continuing to participate in it

by travelling at a reduced, economical and practical cost under a clearer and more coherent legal framework. It significantly deepens relations between the European Union and the Bahamas, which is of great political importance in the context of the Cotonou Agreement.

EU/Bahamas Agreement: short-stay visa waiver

The European Parliament adopted, by 591 votes to 48 with 9 abstentions, a legislative resolution on the draft Council decision on the conclusion, on behalf of the Union, of the Agreement between the European Union and the Commonwealth of the Bahamas amending the Agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver.

Parliament gave its consent to the conclusion of the agreement.

The new visa waiver agreement will enable citizens not only to derive full benefit from the ACP-EU partnership but continuing to participate in it by travelling at a reduced, economical and practical cost under a clearer and more coherent legal framework. It significantly deepens relations between the European Union and the Bahamas, which is of great political importance in the context of the Cotonou Agreement.

EU/Bahamas Agreement: short-stay visa waiver

PURPOSE: to approve the conclusion of the amending agreement between the European Union and the Commonwealth of the Bahamas on the short-stay visa waiver.

NON-LEGISLATIVE ACT: Council Decision (EU) 2019/77 on the conclusion, on behalf of the Union, of the Agreement between the European Union and the Commonwealth of the Bahamas amending the Agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver.

CONTENT: the Council approved, on behalf of the European Union, the Agreement between the EU and the Bahamas amending the Agreement on the short-stay visa waiver.

As a reminder, the Commission negotiated, on behalf of the Union an agreement with the Bahamas which amends the Agreement between the European Community and the Bahamas on the short-stay visa waiver. The amending agreement has been signed.

The amending agreement ensures legal coherence and harmonisation between Member States, in accordance with the new definition of short-term stay provided for by the amendment of the Schengen Borders Code. It therefore provides for a visa-free travel regime for EU citizens and citizens of the Bahamas travelling to the territory of the other Contracting Party for a stay of up to 90 days in any 180-day period.

This Decision constitutes a development of the provisions of the Schengen acquis in which the United Kingdom and Ireland do not participate. Consequently, these two countries are not bound by this decision or subject to its application.

ENTRY INTO FORCE: 20.12.2018.