

**PARLIAMENTARY ASSEMBLY OF THE BLACK SEA ECONOMIC COOPERATION
PABSEC**

LEGAL AND POLITICAL AFFAIRS COMMITTEE

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REPORT

On

THE VISA FACILITIES BETWEEN THE PABSEC MEMBER COUNTRIES

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INTRODUCTION:

Since the very beginning the prime objective of the Black Sea Economic Cooperation process has been reduction of barriers and easing of the present difficulties preventing fruitful cooperation between the neighbouring countries around the Black Sea. With these barriers removed, states would have a favourable environment for ensuring further gradual multilateral development. These common global interests and commitments for the benefit of the cooperation generated an overwhelming purpose to obviate a recurrence of existing difficulties.

In this respect the question of the modification of present visa regulations has been raised as one of the main obstacle hindering to a great extent the Black Sea economic cooperation process. It is evident that economic cooperation needs a sound legal background at all levels to enable involved parties to maintain common goals.

Consequently, the task of modification of the present visa regulations spurred a serious study of the issue, undertaken by the PABSEC Legal and Political Affairs Committee. At its third meeting in Tbilisi, on 16-17 May 1994 a decision had been adopted to work out a report regarding the visa facilities promoting gradual elimination of existing restrictions in the field of visa regulations among the PABSEC member countries, giving way to mutually beneficial cooperation and integration in compliance with the Summit Declaration on the Black Sea Economic Cooperation.

At the same time the First and the Second Meetings of the Ministers of Foreign Affairs (MMFA) of the Black Sea Economic Cooperation countries showed a keen concern on this particular issue. The same problem was the subject of discussion at the Meeting of the BSEC ad hoc Working Group on Travel of Individuals from the Business Community and at the Meeting of the Working Group on Transport adopting the decision to initiate a study on the harmonisation of border crossing formalities which should be regarded as a long-term process. The BSEC Council Board members have also brought to the attention of the Fourth MMFA Meeting the recommendations advising the national governments to take necessary steps for easy movement of bona fide businessmen.

The PABSEC International Secretariat has worked on this issue within its capacity to acquire and collect information from the delegations of the PABSEC member countries (Albania, Azerbaijan, Georgia, Moldova, Romania, Turkey, Ukraine) as well as from the BSEC Permanent Intentional Secretariat. The present report has been drafted based on the information received and reflects facts, opinions, views and recommendations of these Participating States.

Present task of this report is to show what are the pros and cons of current visa regulations practiced in the region and to find most favourable solutions to the problems for the benefit of harmonisation process.

GENERAL INFORMATION

Due to the different stages of interstate relations and diversity of agreements between the PABSEC member countries the visa regulations vary from country to country giving ones more advantageous conditions than the others.

The current problems existing among the PABSEC countries in visa regulations are related to the fact that most countries around the Black Sea still practice old regulations based on a set of legal and administrative barriers which require to be transformed into new procedures in order to regulate international interaction in the years to come.

These conditions hinder multilateral cooperation among the PABSEC countries putting its negative impact on the whole process of regional integration.

PROBLEMS:

- The fact that the Black Sea countries could be divided into three major groups according to their stage of development and experience causes substantial difference in visa legislations in the region. Due to this diversity certain incoincidence in the rules regulating the travel of individuals among these countries emerge. At the one extreme, the substantial difference in regulations and at the other extreme, the membership in the regional organisations determine certain criteria of restrictions and liberation of movement of people of the Black Sea countries through their territories. For instance, former soviet republics need no visas at all being the members of the Commonwealth of Independent States, inheriting visa free regimes from the former system and on the other hand, Greece (which is an official member of BSEC but not yet of PABSEC) has rather restricted visa regulations caused by its status as the member of the European Union.
- It is very difficult to talk about fruitful cooperation when people directly involved in the process of integration find obstacles on the way of developing relations

Among some of the PABSEC member countries bilateral agreements on visa regulations have not yet been concluded, thus putting into practice former agreements requiring to be updated with regard of the present situation in the region.

- It is difficult to maintain visa operations with some of the newly independent countries - former soviet republics - due to the fact that they have not yet established their diplomatic representations in neighbouring countries of the Black Sea region and vice versa, thus practicing procedures of obtaining visas through the Russian Embassies in respective countries and foreign missions in Moscow.
- Many of the countries in the region have bilaterally established their entrance fee for simplification of border crossing formalities for the general population, but occasionally there are cases of unilateral treatment.

- Although there are bilateral agreements between some of the countries to promote and facilitate private business by simplifying procedure of obtaining visas for the people from business community. There are still obstacles created by bureaucratic institutions delaying visas even in the case of urgency. This question is the subject of concern of most of the Black Sea countries because without liberation of visa procedures for particular categories of citizens' cooperation in various fields will be doomed to failure.

PROPOSALS:

As is known economic cooperation is the major principle of the Black Sea process. Within the framework of this objective PABSEC has to take its modest but significant steps to stimulate further development of harmonisation of present visa regulations within the region in order to facilitate economic activities in the member countries for the benefit of the peoples of the region.

The PABSEC through its activities aims to promote mutually advantageous conditions, which will result in the most beneficial outcomes for the entire region.

PABSEC can provide a framework for stimulating conclusion of bilateral agreements between the countries on further visa arrangements, while the BSEC at the governmental level is called upon to elaborate mechanisms for implementation of their provisions.

The parliaments of the member countries have to persuade their governments to ease restrictions for the citizens of the countries through bilateral agreements providing guidelines for further development of mutually advantageous visa procedures and to serve to the interests of contracting parties involved in the multifaceted process of regional cooperation.

A long-term project of complete elimination of visa formalities should be drafted to facilitate economic, political and other fields of cooperation in the region, starting with liberation of barriers for the particular categories of citizens.

The members of the PABSEC National Delegations attending PABSEC meetings and participants in the BSEC meetings, as well as the members of the BSEC Council should be granted free entry visas in the respective countries hosting such gatherings.

The similar visa regimes should be applied to the members of the PABSEC International Secretariat and the BSEC Permanent International Secretariat.

The people from business community acquiring new important aspect in the whole process of the Black Sea Economic Cooperation should also have certain travel advantages.

The owners of Diplomatic, Service and Special Passports must not be restricted to enter the countries-signatories of "The Black Sea Economic Cooperation Bosphorus Declaration".

The visa regulations with Albania should be reviewed in order to lift strict visa regimes between this country and the former soviet republics.

It could be expedient to share practice of EU and to ease visa regulations between all the BSEC countries.

To simplify the most restricted visa regime practiced in Greece as the member of EU, or at least to lift limitations on particular categories of citizens like businessmen, scholars and officials going on special missions to Greece. At the same time Greece, as a member of the EU can bridge the two organisations it is member of - BSEC and EU. Since this country is not yet an official member of the PABSEC, the Meeting of the BSEC working group should be asked to consider this proposal.

CONCLUSION:

With the establishment of the Black Sea economic Cooperation the question of free movement of the citizens have attained a new importance. Re-regulation and development of existing visa regulations in order to improve relations between the member countries and to provide a set of rules and procedures removing impediments had become priority issue.