

ITALIAN SENATE OF THE REPUBLIC
COMMENTS AND RECOMMENDATIONS OF THE
14TH STANDING COMMITTEE

(European Union Policies)

pursuant to Senate Rule 144(1)

(Rapporteur: Mauro Maria MARINO)

Rome, 7 December 2010

Comments on:

Proposal for a decision of the European Parliament and of the Council on the list of travel documents entitling the holder to cross the external borders and which may be endorsed with a visa and on setting up a mechanism for establishing this list (COM (2010)662 final)

The 14th Standing Committee, following consideration of the aforementioned document,
[...]

expresses, insofar as its remit is concerned, a positive opinion with the following qualifications:

the legal basis is properly identified in Article 77(2)(a) and (b) of the Treaty on the Functioning of the European Union, by virtue of which the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, adopt measures concerning the common policy on visas and other short-stay residence permits and the checks to which persons crossing external borders are subject;

the proposal complies with the subsidiarity principle, for only at EU level can the "Table of travel documents of third country nationals for the purpose of visa issuance and the crossing of borders" be adapted to the European legal and institutional framework;

the proposal for a decision complies with the proportionality principle, for it merely revises and updates the "Table of travel documents", without prejudice to the exclusive powers of Member States over recognition of such documents. The proposed Decision has no implication on the budgets of the European Union and of Member States;

as far as the substance of the proposal is concerned, the measure meets the need to adapt the "Table of travel documents" to the European legal and institutional framework and to modernise and link such Table to Regulation 539/2001, listing the third countries whose nationals must be in possession of a visa when crossing the external borders and those whose nationals are exempt from that requirement; through the creation of a centralised mechanism, in the form of an advisory committee which can carry out a technical assessment of travel documents issued by third countries and their level of security, the proposal provides for simplification of administrative procedures and burden sharing for public authorities (EU or national).