



Council of the European Union
General Secretariat

SGS17/05979

NOTE VERBALE



The General Secretariat of the Council of the European Union presents its compliments to the Department of Foreign Affairs of the Federated States of Micronesia and has the honour to acknowledge receipt, on 22 June 2017, of the Department's Note No. DFA/LSR-456-17, notifying the European Union of the completion of the internal procedures necessary for the entry into force of the Agreement between the European Union and the Federated States of Micronesia on the short-stay visa waiver, signed at New York on 19 September 2016.

The European Union, having also completed its internal procedures in this respect, this Agreement, in accordance with its Article 8.1, will therefore enter into force on 1 August 2017.

The General Secretariat of the Council of the European Union avails itself of this opportunity to renew to the Department of Foreign Affairs of the Federated States of Micronesia the expression of its highest consideration.

Brussels, 27 June 2017



AGREEMENT
BETWEEN THE FEDERATED STATES OF MICRONESIA
AND THE EUROPEAN UNION
ON THE SHORT-STAY VISA WAIVER

СПОРАЗУМЕНИЕ
МЕЖДУ ЕВРОПЕЙСКИМ СЪЮЗОМ
И ФЕДЕРАТИВНИТЕ ШТАТИ МИКРОНЕЗИЯ
ЗА ПРЕМАХВАНЕ НА ВИЗИТЕ ЗА КРАТКОСРОЧНО ПРЕБИВАВАНЕ

ACUERDO
ENTRE LA UNIÓN EUROPEA
Y LOS ESTADOS FEDERADOS DE MICRONESIA
SOBRE EXENCIÓN DE VISADOS
PARA ESTANCIAS DE CORTA DURACIÓN

DOHODA
MEZI EVROPSKOU UNIÍ
A FEDERATIVNÍMI STÁTY MIKRONÉSIE
O ZRUŠENÍ VÍZOVÉ POVINNOSTI PRO KRÁTKODOBÉ POBYTY

AFTALE
MELLEM DEN EUROPÆISKE UNION
OG MIKRONESIENS FORENEDE STATER
OM VISUMFRITAGELSE FOR KORTVARIGE OPHOLD

ABKOMMEN
ZWISCHEN DER EUROPÄISCHEN UNION
UND DEN FÖDERIERTEN STAATEN VON MIKRONESIEN
ÜBER DIE BEFREIUNG VON DER VISUMPFICHT FÜR KURZAUFENTHALTE

EUROOPA LIIDU JA
MIKRONEESIA LIIDURIKIDE VAHELINE
LÜHIAJALISE VIISA NÕUDEST LOOBUMIST KÄSITLEV
LEPING

ΣΥΜΦΩΝΙΑ
ΜΕΤΑΞΥ ΤΗΣ ΕΥΡΩΠΑΪΚΗΣ ΕΝΩΣΗΣ
ΚΑΙ ΤΩΝ ΟΜΟΣΠΟΝΔΩΝ ΠΟΛΙΤΕΙΩΝ ΤΗΣ ΜΙΚΡΟΝΗΣΙΑΣ
ΣΧΕΤΙΚΑ ΜΕ ΤΗΝ ΑΠΑΛΛΑΓΗ ΑΠΟ ΤΗΝ ΥΠΟΧΡΕΩΣΗ ΘΕΩΡΗΣΗΣ
ΓΙΑ ΒΡΑΧΕΙΑ ΔΙΑΜΟΝΗ

ACCORD
ENTRE L'UNION EUROPÉENNE
ET LES ÉTATS FÉDÉRÉS DE MICRONÉSIE
RELATIF À L'EXEMPTION DE VISA DE COURT SÉJOUR

SPORAZUM
IZMEĐU EUROPSKE UNIJE
I SAVEZNIH DRŽAVA MIKRONEZIJE
O IZUZEĆU OD OBVEZE POSJEDOVANJA VIZE ZA KRATKOTRAJNI BORAVAK

ACCORDO
DI ESENZIONE DAL VISTO PER SOGGIORNI DI BREVE DURATA
TRA L'UNIONE EUROPEA
E GLI STATI FEDERATI DI MICRONESIA

NOLĪGUMS
STARP EIROPAS SAVIENĪBU
UN MIKRONĒZIJAS FEDERATĪVAJĀM VALSTĪM
PAR ĪSTERMIŅA UZTURĒŠANĀS VĪZU REŽĪMA ATCELŠANU

FM/EU/X 1a

EUROPOS SAJUNGOS IR
MIKRONEZIJOS FEDERACINIŲ VALSTIJŲ
SUSITARIMAS
DĖL BEVIZIO REŽIMO TRUMPALAIKIO BUVIMO ATVEJU

MEGÁLLAPODÁS
AZ EURÓPAI UNIÓ
ÉS A MIKRONÉZIAI SZÖVETSÉGI ÁLLAMOK KÖZÖTT
A RÖVID TÁVÚ TARTÓZKODÁSRA JOGOSÍTÓ
VÍZUMOK ALÓLI MENTESSÉGRŐL

FTEHIM
BEJN L-UNJONI EWROPEA
U L-ISTATI FEDERALI TAL-MIKRONEŻJA
DWAR L-EŻENZJONI MILL-VIŻA GHAL SOĠĠORN QASIR

OVEREENKOMST
TUSSEN DE EUROPESE UNIE
EN DE FEDERALE STATEN VAN MICRONESIA
INZAKE DE VRIJSTELLING VAN DE VISUMPLICHT VOOR KORT VERBLIJF

UMOWA
MIĘDZY UNIĄ EUROPEJSKĄ
A SFEDEROWANYMI STANAMI MIKRONEZJI
DOTYCZĄCA ZNIESIENIA WIZ KRÓTKOTERMINOWYCH

ACORDO
ENTRE A UNIÃO EUROPEIA
E OS ESTADOS FEDERADOS DA MICRONÉSIA
SOBRE A ISENÇÃO DE VISTO PARA AS ESTADAS DE CURTA DURAÇÃO

ACORD
ÎNȚRE UNIUNEA EUROPEANĂ
ȘI STATELE FEDERATE ALE MICRONEZIEI PRIVIND
EXONERAREA DE OBLIGAȚIA DE A DEȚINE VIZĂ DE SCURTĂ ȘEDERE

DOHODA
MEDZI EURÓPSKOU ÚNIOU
A MIKRONÉZSKYMI FEDERATÍVNÝMI ŠTÁTMI
O ZRUŠENÍ VÍZOVEJ POVINNOSTI PRI KRÁTKODOBÝCH POBYTOCH

SPORAZUM
MED EVROPSKO UNIJO
IN FEDERATIVNIMI DRŽAVAMI MIKRONEZIJE
O ODPRAVI VIZUMSKE OBVEZNOSTI ZA KRATKOROČNO BIVANJE

EUROOPAN UNIONIN JA
MIKRONESIAN LIITTOVALTION VÄLINEN
SOPIMUS
LYHYTAIKAISTA OLESKELUA
KOSKEVASTA VIISUMIVAPAUESTA

AVTAL
MELLAN EUROPEISKA UNIONEN
OCH MIKRONESISKA FEDERATIONEN
OM UNDANTAG FRÅN VISERINGSKRAVET FÖR KORTARE VISTELSER

FM/EU/X 1b

AGREEMENT
BETWEEN THE FEDERATED STATES OF MICRONESIA
AND THE EUROPEAN UNION
ON THE SHORT-STAY VISA WAIVER

FM/EU/en 1

THE FEDERATED STATES OF MICRONESIA, hereinafter referred to as "Micronesia", and

THE EUROPEAN UNION, hereinafter referred to as "the Union" or "the EU",

hereinafter referred to jointly as the "Contracting Parties",

WITH A VIEW TO further developing friendly relations between the Contracting Parties and desiring to facilitate travel by ensuring visa-free entry and short stay for their citizens,

HAVING REGARD to Regulation (EU) No 509/2014 of the European Parliament and of the Council of 15 May 2014 amending Council 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 requirement¹ by, *inter alia*, transferring 19 third countries, including Micronesia, to the list of third countries whose nationals are exempt from the visa requirement for short stays in the Member States,

BEARING IN MIND that Article 1 of Regulation (EU) No 509/2014 states that for those 19 countries, the exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the Union,

DESIRING to safeguard the principle of equal treatment of all EU citizens,

¹ OJEU L 149, 20.5.2014, p. 67.

TAKING INTO ACCOUNT that persons travelling for the purpose of carrying out a paid activity during their short stay are not covered by this Agreement and therefore for that category the relevant rules of Union law and national law of the Member States and the national law of Micronesia on the visa obligation or exemption and on the access to employment continue to apply,

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 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,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Purpose

This Agreement provides for visa-free travel for the citizens of the Union and for the citizens of Micronesia when travelling to the territory of the other Contracting Party for a maximum period of 90 days in any 180-day period.

ARTICLE 2

Definitions

For the purpose of this Agreement:

- (a) "Member State" shall mean any Member State of the Union, with the exception of the United Kingdom and Ireland;
- (b) "a citizen of the Union" shall mean a national of a Member State as defined in point (a);
- (c) "a citizen of Micronesia" shall mean any person who holds the citizenship of Micronesia;
- (d) "Schengen area" shall mean the area without internal borders comprising the territories of the Member States as defined in point (a) applying the Schengen *acquis* in full.

ARTICLE 3

Scope of application

1. Citizens of the Union holding a valid ordinary, diplomatic, service, official or special passport issued by a Member State may enter and stay without a visa in the territory of Micronesia for the period of stay as defined in Article 4(1).

Citizens of Micronesia holding a valid ordinary, diplomatic, service, official or special passport issued by Micronesia may enter and stay without a visa in the territory of the Member States for the period of stay as defined in Article 4(2).

2. Paragraph 1 of this Article does not apply to persons travelling for the purpose of carrying out a paid activity.

For that category of persons, each Member State individually may decide to impose a visa requirement on the citizens of Micronesia or to withdraw it in accordance with Article 4(3) of Council Regulation (EC) No 539/2001¹.

For that category of persons, Micronesia may decide on the visa requirement or the visa waiver for the citizens of each Member State individually in accordance with its national law.

¹ 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 (OJEU L 81, 21.3.2001, p. 1).

3. The visa waiver provided for by this Agreement shall apply without prejudice to the laws of the Contracting Parties relating to the conditions of entry and short stay. The Member States and Micronesia reserve the right to refuse entry into and short stay in their territories if one or more of these conditions is not met.
4. The visa waiver applies regardless of the mode of transport used to cross the borders of the Contracting Parties.
5. Issues not covered by this Agreement shall be governed by Union law, the national law of the Member States and by the national law of Micronesia.

ARTICLE 4

Duration of stay

1. Citizens of the Union may stay in the territory of Micronesia for a maximum period of 90 days in any 180-day period.
2. Citizens of Micronesia may stay in the territory of the Member States fully applying the Schengen *acquis* for a maximum period of 90 days in any 180-day period. That period shall be calculated independently of any stay in a Member State which does not yet apply the Schengen *acquis* in full.

Citizens of Micronesia may stay for a maximum period of 90 days in any 180-day period in the territory of each of the Member States that do not yet apply the Schengen *acquis* in full, independently of the period of stay calculated for the territory of the Member States fully applying the Schengen *acquis*.

3. This Agreement does not affect the possibility for Micronesia and the Member States to extend the period of stay beyond 90 days in accordance with their respective national laws and Union law.

ARTICLE 5

Territorial application

1. As regards the French Republic, this Agreement shall apply only to the European territory of the French Republic.
2. As regards the Kingdom of the Netherlands, this Agreement shall apply only to the European territory of the Kingdom of the Netherlands.

ARTICLE 6

Joint Committee for the management of the Agreement

1. The Contracting Parties shall set up a Joint Committee of experts (hereinafter referred to as the "Committee"), composed of representatives of the Union and representatives of Micronesia. The Union shall be represented by the European Commission.
2. The Committee shall have, *inter alia*, the following tasks:
 - (a) monitoring the implementation of this Agreement;

- (b) suggesting amendments or additions to this Agreement;
 - (c) settling disputes arising from the interpretation or application of this Agreement.
3. The Committee shall be convened whenever necessary, at the request of one of the Contracting Parties.
4. The Committee shall establish its rules of procedure.

ARTICLE 7

Relationship of this Agreement to existing bilateral visa waiver agreements between the Member States and Micronesia

This Agreement shall take precedence over any bilateral agreements or arrangements concluded between individual Member States and Micronesia, in so far as they cover issues falling within the scope hereof.

ARTICLE 8

Final provisions

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their respective internal procedures and shall enter into force on the first day of the second month following the date of the later of the two notifications by which the Contracting Parties notify each other that those procedures have been completed.

This Agreement shall be applied on a provisional basis as from the day following the date of signature hereof.

2. This Agreement is concluded for an indefinite period, unless terminated in accordance with paragraph 5.

3. This Agreement may be amended by written agreement of the Contracting Parties. Amendments shall enter into force after the Contracting Parties have notified each other of the completion of their internal procedures necessary for this purpose.

4. Each Contracting Party may suspend in whole or in part this Agreement, in particular, for reasons of public policy, the protection of national security or the protection of public health, illegal immigration or upon the reintroduction of the visa requirement by either Contracting Party. The decision on suspension shall be notified to the other Contracting Party not later than two months before its planned entry into force. A Contracting Party that has suspended the application of this Agreement shall immediately inform the other Contracting Party should the reasons for that suspension cease to exist and shall lift that suspension.

5. Each Contracting Party may terminate this Agreement by giving written notice to the other Party. This Agreement shall cease to be in force 90 days thereafter.

6. Micronesia may suspend or terminate this Agreement only in respect of all the Member States.

7. The Union may suspend or terminate this Agreement only in respect of all of its Member States.

Done in duplicate in the English, Bulgarian, Croatian, Czech, Danish, Dutch, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, each text being equally authentic.

For the Federated States of Micronesia
 За Федеративните щати Микронезия
 Por los Estados Federados de Micronesia
 Za Federativní státy Mikronésie
 For Mikronesiens Forenede Stater
 Für die Föderierten Staaten von Mikronesien
 Mikroneesia Liiduriikide nimel
 Για τις Ομόσπονδες Πολιτείες της Μικρονησίας
 Pour les États fédérés de Micronésie
 Za Savezne Države Mikronezije
 Per gli Stati federati di Micronesia
 Mikronēzijas Federatīvo Valstu vārdā –
 Mikronezijos Federacinių Valstijų vardu
 A Mikronéziai Szövetségi Államok részéről
 Għall-Istati Federali tal-Mikroneżja
 Voor de Federale Staten van Micronesië
 W imieniu Sfederowanych Stanów Mikronezji
 Pelos Estados Federados da Micronésia
 Pentru Statele Federate ale Microneziei
 Za Mikronézské federatívne štáty
 Za Federativne države Mikronezije
 Mikronesian liittovaltion puolesta
 För Mikronesiska federationen

For the European Union
 За Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 Pour l'Union européenne
 Za Europsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

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