

Bruxelles, 05 DEC. 2013
PB/abh Ares(2013)

Dear Mr. Kytka,

I would like to thank you for your letter dated August 20th, 2013, regarding the proposed Visa Facilitation Agreement with Russia.

As you know, as of January 2007 the Visa Facilitation Agreement (VFA) between the Russian Federation and the European Union is in force. The agreement currently negotiated is an amendment to the original VFA. The aim of the visa facilitation agreement and its amendments is to facilitate on a reciprocal basis obtaining a visa for bona fide travellers by reducing the costs, limiting the number of required supporting documents, and by making multiple-entry visas with a long term of validity easier to obtain. All of this, with the aim of rendering more easy the people-to-people contacts.

I would like to stress that the VFAs such as the one with the Russian Federation bring facilitations to large groups of applicants, including those who have family members in the EU or in the country with which such agreement has been signed, business people, truck and bus drivers who need to cross the border frequently, persons participating in scientific and cultural exchanges, and many more.

As you rightly point out, currently the negotiations of the amended Visa Facilitation Agreement with Russia have been stalled due to the issue of a visa waiver for the holders of service passports. This visa waiver has been requested by the Russian side but the European Commission, together with the EU Member States could only agree to such a visa waiver if it is fully ensured that such a visa waiver would not raise security concerns in the Member States. The necessary safeguards to that end should be provided.

During the discussions in the Council, it has also been agreed that the overall state of EU-Russia relations will be taken into account, including the issue of human rights, before a decision on the signature of the Agreement would be taken.

I am very much aware of the human rights situation in the Russian Federation, as well as about the legislation limiting human rights of the LGBT people. I can ensure you that the European Commission is actively promoting the respect for human rights in Russia. This is being done, inter alia, through the implementation of the Common Steps that are part of the Visa Dialogue.

In your letter you also recall the US Magnitsky Act. In this context I should stress that whatever will be the issue of the on-going negotiations, waiving the visa requirement for certain categories of persons does not equal the right of entry of all persons concerned. I would like to recall that EU Member States can introduce in the SIS an entry ban for officials of third countries involved in certain events.

The European Commission will do its utmost to make sure human rights offenders from the Russian Federation and from any other third country are not given the right to travel freely to and within the EU.

I have also personally raised the issue of LGBT rights and Magnitsky case with the minister of Justice...

Sincerely yours,



Cecilia MALMSTRÖM