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**European Union – Short-Stay Visa Waiver Agreement with United Arab Emirates**

by Heleen Snieders, Meijburg & Co, the Netherlands (a KPMG International member firm)

## flash Alert

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On 6 May 2015, the European Union (EU) and the United Arab Emirates (UAE) signed a historic short-stay visa waiver agreement in Brussels, Belgium, making the UAE the first Arab country to receive such a visa waiver for its nationals.<sup>1</sup> Negotiations for the agreement were opened in November 2014. Although it has not been formally approved by the European Parliament, the agreement applies provisionally from 6 May 2015.

The new visa regime provides for visa-free travel for the citizens of the EU when travelling to the territory of the UAE and for the citizens of the UAE when travelling to the EU. The visa-free period is to cover 'short-term stays' allowing a maximum period of stay of 90 days in any 180-day period. Ireland and the United Kingdom will not be subject to the application of the agreement, in accordance with the protocols annexed to the EU treaties. The visa regimes for these member states remain subject to their respective national legislation.

### Why This Matters

Business travelers and their families traveling between the EU and the UAE may be positively impacted by the visa waiver; in many cases it will enable them to travel freely to each other's territory without a lengthy, costly, and bureaucratic visa procedure.

It is also important that these travelers familiarize themselves with the restrictions and limitations of the visa-waiver. For instance, the calculation of the permitted duration of stay and the restrictions for travel for the purposes of a paid-activity or any travel to a EU member state that is not subject to the agreement.

### Waiver Agreement: Key Points

In order to benefit from visa-free travel, citizens from the EU and citizens from the UAE must be in possession of a valid passport. UAE nationals also have to comply with other requirements for short-term stays in the Schengen area, such as travel health insurance, an explanation of the purpose of the trip, and proof of financing for living and travel costs. The visa-free travel applies to all categories of persons and for any purpose of travel (for instance tourism, cultural visits, scientific activities, family visits, business, etc.).

### International Assignees

This visa-free travel does *not* apply for persons travelling for the purpose of carrying out a paid activity. For such individuals, any member state of the EU and the UAE may impose visa obligations on each other's citizens in accordance with EU or national law.

The parties have agreed that “persons travelling for the purpose of carrying out a paid activity” refers to any gainful occupation or remunerated activity as an employee or service provider. However, visa-free travel will apply for “business-persons” (persons travelling for the purpose of business deliberation but not employed in the country of the other contracting party) and “intra-corporate trainees”; the aforementioned categories are covered by the waiver. Employees traveling on a short-term international assignment may need to further enquire if they are visa-waived.

### ***Application in Overseas Territories of France and the Netherlands***

In the cases of France and the Netherlands, the visa waiver only entitles nationals of the UAE to stay in their European territories, and does not cover their overseas territories.

### ***Duration of Permitted Stay***

- Citizens of the EU may travel visa-free to the UAE for a maximum period of 90 days in any 180-day period.
- UAE citizens may stay in the territory of the member states fully applying the Schengen Agreement 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 Agreement in full.<sup>2</sup>
- UAE nationals may stay for a maximum period of 90 days in any 180-day period in the member states that do not (yet) apply the Schengen Agreement in full (Bulgaria, Croatia, Cyprus, Romania), independently of the period calculated for the whole Schengen area.

### **KPMG Note: Special Position of Iceland, Norway, Switzerland, and Liechtenstein**

It must be noted that these countries do not form part of the European Union and therefore are not covered by the agreement. However, the EU and the UAE have taken note of the close relationship between the EU and Iceland, Norway, Switzerland, and Liechtenstein, particularly as these countries form part of the Schengen area. The EU and the UAE have therefore expressed the desire that these countries will conclude bilateral agreements with the UAE on the short-stay visa waiver in terms similar to the agreement with the EU.

### **Next Steps**

The EU-UAE agreement will be sent to the European Parliament with a view to obtaining its consent before it can be enacted.

However, the agreement will apply on a provisional basis as from 6 May 2015.

### ***Footnotes:***

1 For the text of agreement, see: <http://data.consilium.europa.eu/doc/document/ST-7103-2015-INIT/en/pdf> .

2 For more on the calculation of days and background on the Schengen Area, see [Flash International Executive Alert 2013-163](#) (9 December 2013).

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*For further information or assistance, please contact your local GMS or People Services professional or one of the following immigration professionals with the KPMG International member firm in the Netherlands:*

Heleen Snieders (tel. +31 88 909 3420 or e-mail: [snieders.heleen@kpmg.com](mailto:snieders.heleen@kpmg.com))

Hillery Stjura (tel. +31 88 909 1886 or e-mail: [stjura.hillery@kpmg.com](mailto:stjura.hillery@kpmg.com))

Michelle Faber (tel. +31 88 909 1837 or e-mail: [faber.michelle@kpmg.com](mailto:faber.michelle@kpmg.com))

Cherida Hooijer (tel. +31 88 909 1887 or e-mail: [hooijer.cherida@kpmg.com](mailto:hooijer.cherida@kpmg.com))

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