



Report on the fulfilment of visa-free requirements: Questions and Answers

Brussels, 19 December 2018

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What is the Commission presenting today?

The Commission is today reporting on the functioning of the visa-free regime with the Western Balkan countries: Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia as well as Eastern Partnership countries: Georgia, Moldova and Ukraine.

Today's report is the second assessment carried out under the strengthened suspension mechanism for the 8 countries benefitting from visa-free travel under the visa liberalisation scheme.

What is the general assessment?

The Commission considers that all 8 countries continue to fulfil the visa liberalisation benchmarks, however further action – in some cases immediate – is required for a number of countries in specific areas to ensure continuous fulfilment of the benchmarks.

While efforts have been taken to continue to meet the visa liberalisation benchmarks and to fulfil the Commission's recommendations from December 2017, all 8 countries need to take further measures to address irregular migration. Additional efforts are also required to fight organised crime and urgent action is needed from Moldova and Ukraine to address corruption.

It is now imperative that those reforms are sustained and that the countries do not backtrack on their achievements.

Why are only some areas assessed?

While the Commission is monitoring the continuous fulfilment of all visa liberalisation benchmarks, today we are not reporting on benchmarks that are considered to be stable.

Today's report focuses on specific areas where more work is needed, notably irregular migration (including return and readmission), visa policy and the fight against organised crime (including the fight against money laundering) and corruption.

Why does the report only assess 8 countries out of all those which have visa-free regimes with the EU?

While around [60 countries](#) around the world benefit from visa-free travel to the EU, in some cases, visa free access can be decided in bilateral negotiations, called 'visa liberalisation dialogues'. They are based on the progress made by the countries concerned in implementing major reforms in areas such as strengthening the rule of law, combating organised crime, corruption and illegal migration and improving administrative capacity in border control and security of documents.

The report only focuses on those countries which have successfully completed a visa liberalisation dialogue: Albania, the former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Montenegro, Serbia, Georgia, the Republic of Moldova and Ukraine.

Under the EU rules, the Commission is responsible for the monitoring of the continuous fulfilment of visa liberalisation requirements by third countries, which have successfully concluded a visa liberalisation dialogue, and the reporting on the developments to the European Parliament and the Council.

Why are only some countries specifically mentioned in the conclusions?

The report's conclusions highlight the countries where particular and urgent actions are needed.

The conclusions underline the fact that Moldova, Georgia and Ukraine each need to take immediate action in order to ensure continued progress in specific areas. **Moldova** needs to take immediate actions to address irregular migration challenges, including unfounded asylum applications, and to ensure the fulfilment of the anti-corruption benchmark. **Georgia** needs to take further immediate action to address irregular migration challenges, including the increasing numbers of unfounded

asylum applications. **Ukraine** is required to take immediate action to ensure the continuous fulfilment of the anti-corruption benchmark, as well as to address irregular migration challenges.

In addition, the conclusions highlight that increased irregular migration from **Ukraine, Serbia and Bosnia and Herzegovina** has been observed. **Albania** took effective measures when it comes to addressing irregular migration but continued efforts are nevertheless needed to ensure improved and sustainable results. **Serbia** should also ensure the readmission of third-country nationals and ensure alignment with the EU visa policy.

The conclusions also mention that Western Balkan and Eastern Partnership countries continued to take measures to fight organised crime, but efforts have to be strengthened by all 8 countries. In particular, **Moldova** and **Ukraine** should take immediate steps to fight corruption.*

How often does the Commission report on the fulfilment of the benchmarks?

Under the strengthened suspension mechanism, the Commission needs to report on the fulfilment of the visa liberalisation benchmarks at least once a year. This reporting will continue for at least 7 years after the opening of visa-free travel for a third country.

What is a visa liberalisation requirement (benchmark)?

The EU conducts visa liberalisation dialogues with some third countries to work towards the long-term goal of visa-free travel, provided that conditions for well-managed and secure mobility are in place.

Visa liberalisation dialogues were successfully conducted between the EU and five Western Balkan countries, **Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia**, as well as three Eastern Partnership countries, **Georgia, Moldova and Ukraine**. They resulted in the granting of visa-free travel to citizens of these countries; for Montenegro, Serbia and the former Yugoslav Republic of Macedonia in December 2009, for Albania and Bosnia and Herzegovina at the end 2010, for Moldova in April 2014, for Georgia in March 2017 and for Ukraine in June 2017.

These dialogues were built upon 'Visa Liberalisation Roadmaps' for the Western Balkan countries' and 'Visa Liberalisation Action Plans' (VLAP) for the Eastern Partnership countries. These Roadmaps and Action Plans included four blocks of requirements, called "benchmarks" which the countries had to fulfil. The requirements related to document security, including biometrics; border management, migration and asylum; public order and security; and external relations and fundamental rights. The benchmarks concerned both the policy and institutional framework (legislation and planning) and the effective and sustainable implementation of this framework.

During the visa liberalisation dialogues, the Commission closely monitored the implementation of the Roadmaps and Action Plans through regular progress reports. These progress reports were transmitted to the European Parliament and the Council and are publicly accessible.

What is the revised visa suspension mechanism?

The visa suspension mechanism was first introduced as part of the EU visa policy in 2013. The mechanism gives a possibility to temporarily suspend the visa exemption for a third country, for a short period of time, in case of a substantial increase in irregular migration.

In May 2016, the Commission proposed to revise the existing rules in order to further strengthen this mechanism. The new measures allow the European Union to react quicker and in a more flexible manner when faced with an increased migratory pressure or internal security risks which may arise from visa-free travel.

Under the revised mechanism, the Commission can trigger the mechanism, whereas previously only Member States could do so. In addition, the revised mechanism also introduced an obligation for the Commission to:

- **monitor the continuous fulfilment of the visa liberalisation requirements** which were used to assess to grant visa free travel to a third country as a result of a successful conclusion of a visa liberalisation dialogue;
- **report regularly to the European Parliament and to the Council**, at least once a year, for a period of seven years after the date of entry into force of visa liberalisation for that third country.

The revised suspension mechanism was adopted in February 2017 and entered into force in [March 2017](#). Today, the Commission is publishing its second report under the new monitoring and reporting obligation.

When can the suspension mechanism be triggered?

The suspension mechanism can be triggered in the following circumstances:

- a substantial increase (more than 50%) of irregular migration, including people found to be staying irregularly, and persons refused entry at the border;
- a substantial increase (more than 50%) of asylum applications with low recognition rate (around 3-4%);
- a decrease of cooperation on readmission, notably in case of an increasing refusal rate for readmission applications;
- an increased risk to the security of Member States, in particular serious criminal offences.

The Commission can also trigger the mechanism in case certain requirements are no longer met as regards the fulfilment of the visa liberalisation benchmarks by third countries that have gone through a visa liberalisation dialogue.

What are the next steps?

The report sets out actions to be taken by the partner countries to ensure the sustainability of reforms. The Commission will monitor the continuous fulfilment of the visa liberalisation requirements and will report to the European Parliament and the Council at least once a year.

For More Information

[Press Release](#): Visa liberalisation – Commission reports on fulfilment of visa-free requirements by Western Balkans and Eastern Partnership countries

[Second Report under the Visa Suspension Mechanism](#)

[Commission Staff Working Document accompanying the Second Report under the Visa Suspension Mechanism](#)

[First Report under the Visa Suspension Mechanism](#)

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