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VISA 1
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FREMP 1

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the partial suspension of the application of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas

COUNCIL DECISION (EU) 2025/...

of ...

**on the partial suspension of the application of the Agreement
between the European Union and Georgia
on the facilitation of the issuance of visas**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2), point (a), and Article 218(9) thereof,

Having regard to the Agreement between the European Union and Georgia on the facilitation of the issuance of visas¹, and in particular Article 14(5) thereof,

Having regard to the proposal from the European Commission,

¹ OJ L 52, 25.2.2011, p. 34.

Whereas:

- (1) The Agreement between the European Union and Georgia on the facilitation of the issuance of visas (the ‘Facilitation Agreement’) entered into force on 1 March 2011.
- (2) The purpose of the Facilitation Agreement is to facilitate, on the basis of reciprocity, the issuance of visas for intended stays of no more than 90 days in any 180-day period to citizens of the Union and of Georgia. The Facilitation Agreement contributes to the enhancement of people-to-people contacts and the sharing of values, including respect for human rights and democratic principles.
- (3) Under Article 14(5) of the Facilitation Agreement, each Party is entitled to suspend the Facilitation Agreement in whole or in part for reasons of public order, the protection of national security or the protection of public health. A decision on suspension is to be notified to the other Party not later than 48 hours before its entry into force. The Party that has suspended the application of the Facilitation Agreement is to immediately inform the other Party once the reasons for the suspension no longer apply.
- (4) In 2024, Georgia adopted the ‘Law on transparency of foreign influence’ and the legislative package on ‘family values and protection of minors’. Those measures are assessed as undermining the fundamental rights of the Georgian people, including the freedom of association and expression, the right to privacy, the right to participate in public affairs, and as increasing stigmatisation and discrimination.

- (5) In its conclusions of 27 June 2024, the European Council underlined that the ‘Law on transparency of foreign influence’ represented backsliding on the steps set out in the Commission’s recommendation for candidate status and called on the Georgian authorities to clarify their intentions by reversing a course of action which jeopardised Georgia’s path towards the European Union, de facto leading to a halt of the accession process. In its conclusions of 17 October 2024, the European Council recalled that the course of action taken by the Georgian government jeopardised Georgia’s European path and de facto halted the accession process, and called on Georgia to adopt democratic, comprehensive and sustainable reforms, in line with the core principles of European integration.
- (6) On 28 November 2024, the Georgian authorities announced their intention not to seek the opening of accession negotiations with the European Union until 2028. That announcement provoked mass protests in numerous Georgian cities, to which the Georgian authorities responded with the use of disproportionate force and violent methods as well as arbitrary arrests and ill-treatment of protesters, politicians and journalists.
- (7) The actions taken by Georgia breach the fundamental principles on which the Facilitation Agreement was concluded and go against the interests of the Union and its Member States. In particular, these actions do not respect human rights and democratic principles and are therefore inconsistent with Union values and hamper the steady development of economic, humanitarian, cultural, scientific and other ties between the Union and Georgia.

- (8) Against this background, the Commission's 7th Report under the Visa Suspension Mechanism highlighted the steps to be taken urgently by Georgia to address the Commission's concerns and noted that there are ongoing reflections on the activation of the visa suspension mechanism in relation to certain categories of persons.
- (9) In order to protect the public order in the Member States and in the Union, it is appropriate and proportionate that Member States require a visa from Georgian citizens holding valid diplomatic passports who travel to the Union, as those persons represent interests which are contrary to those that led the Union to conclude the Facilitation Agreement in the first place. The application of certain provisions of the Facilitation Agreement providing for exemptions for citizens of Georgia holding valid diplomatic passports and for facilitating certain categories of citizens of Georgia applying for short-stay visas, namely members of Georgian official delegations, members of national and regional governments and parliaments of Georgia, and members of the Constitutional Court and Supreme Court of Georgia, in the exercise of their duties, should therefore be suspended.
- (10) This Decision constitutes a development of the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC². Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.

² Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OL L 64, 7.3.2002, p. 20, ELI: <http://data.europa.eu/eli/dec/2002/192/oj>).

- (11) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (12) In view of the gravity of the situation in Georgia, this Decision should enter into force on the date of its adoption,

HAS ADOPTED THIS DECISION:

Article 1

The application of the following provisions of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas (the ‘Facilitation Agreement’) is suspended as from ... [2 days after the date of adoption of this Decision]:

- (a) Article 4(1), point (b), as regards members of Georgia’s official delegations who, following an official invitation addressed to Georgia, are to participate in official meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;
- (b) Article 5(1), point (b), as regards members of Georgia’s national and regional governments and members of the Constitutional Court and Supreme Court of Georgia;
- (c) Article 5(1), point (c), as regards permanent members of Georgia’s official delegations who, following an official invitation addressed to Georgia, are to participate regularly in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;
- (d) Article 5(2), point (a), as regards members of Georgia’s official delegations who, following an official invitation, are to participate regularly in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;
- (e) Article 5(3), as regards the categories referred to in Article 5(2), point (a);

- (f) Article 6(1), as regards fees for processing visa applications for the categories of citizens and persons referred to in Article 6(3), points (c) and (f), and in Article 10(1);
- (g) Article 6(3), points (c) and (f), as regards members of Georgia's national and regional governments, members of the Constitutional Court and Supreme Court of Georgia, and members of Georgia's official delegations who, following an official invitation addressed to Georgia, are to participate in meetings, consultations, negotiations or exchange programmes, as well as in events held in the territory of the Member States by intergovernmental organisations;
- (h) Article 7, as regards the categories of citizens and persons referred to in Article 6(3), points (c) and (f), and in Article 10(1);
- (i) Article 10(1), as regards citizens of Georgia who are holders of valid diplomatic passports issued by Georgia.

Article 2

This Decision shall enter into force on the date of its adoption.

Done at ..., ...

For the Council

The President
