



Council of the  
European Union

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#### NOTE

From:	Presidency
To:	Visa Working Party/Mixed Committee (EU-Iceland/Norway and Switzerland/Liechtenstein)
Subject:	Annual monitoring exercise on visa liberalisation : state of play and possible evolutions

**DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (17.03.2022)**

*Courtesy translation*

On the initiative of the previous trio of Presidencies, the members of the Council's Visa Working Party have begun a reflection on the future of European visa policy. The Presidency wishes to continue these reflections by focusing specifically on the mechanism for monitoring the exemptions granted to the eight countries of the Western Balkans and the Eastern Partnership following the conclusion of a dialogue on visa liberalisation with the European Union (hereinafter referred to as "monitored third countries")<sup>1</sup>.

<sup>1</sup> Albania, Bosnia and Herzegovina, Northern Macedonia, Montenegro, Serbia, Georgia, Moldova and Ukraine.

## I – Context

Visa liberalisation dialogues are significant tools of influence for the European Union. They are based on the progress made by the countries concerned in areas such as strengthening the rule of law, fighting organised crime and corruption, combating irregular migration, as well as strengthening their administrative capacity in border management and document security. They have achieved concrete results in the past years.

However, many difficulties have been identified by Member States and reported in the Visa Liberalisation Monitoring Reports regarding the consequences of visa liberalisation with some of these third countries (increase in irregular migration flows, increase in unfounded asylum applications, risk of organised crime, hospital debt...). According to Article 8(4) of Regulation (EU) 2018/1806, the Commission shall report to the European Parliament and the Council, at least once a year and for at least 7 years after the effective application of the visa waiver, on the measures taken by the monitored third countries in the above-mentioned areas and in order to ensure continued compliance with the liberalisation criteria.

The reflections under previous Presidencies<sup>2</sup>, **DELETED**<sup>3</sup>, had established the need for :

- sustained monitoring of the criteria in the various roadmaps that have enabled liberalisation, but also of the indicators provided for in Article 8 of Regulation (EU) 1806/2018 triggering the mechanism for suspending the exemption (substantial increase in refusals of entry and irregular stays detected, substantial increase in asylum applications with a low recognition rate, decrease in cooperation in the field of readmission, increase in risks or an imminent threat to public order or internal security) ;

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<sup>2</sup> **DELETED**

<sup>3</sup> **DELETED**

- continuous monitoring of the liberalisation criteria between two reports ;
- greater visibility on bilateral cooperation between Member States and these third countries, which would allow for better coordination and targeting of cooperation at EU level in judicial, police or migration matters, for example.
- **DELETED**

## **II - Monitoring reports on liberalisations**

The 4th report on the follow-up to the liberalisation of the visa regime, published in August 2021<sup>4</sup>, takes up the various areas of work identified in the framework of the reflections proposed to the Visa Working Party by the previous Presidencies.

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<sup>4</sup> 11156/21 + ADD 1.

In the conclusions of this report, the Commission considers that all the third countries monitored have taken measures to follow up the recommendations made in its previous report. Nevertheless, it states that progress still needs to be made in several areas.

For example, it invited several of the monitored third countries to continue their efforts to reduce unfounded asylum claims by their nationals. Improvements were also deemed necessary in the areas of border management and migration, while the need to strengthen the capacity of some Western Balkan partners (notably Bosnia and Herzegovina) to receive displaced persons was noted. According to the report's recommendations, Northern Macedonia and Bosnia and Herzegovina should also conclude and implement "status agreements" with Frontex. All monitored third countries were also called upon to further align their visa policies with that of the EU with regard to the countries subject to the visa obligation. The Commission strongly urged the monitored third countries to phase out their citizenship for investment programmes. Finally, it was considered that the Eastern Partnership countries should better fight high-level corruption, through reforms of their judicial systems, and improve the effectiveness of the fight against organised crime. However, the report does not always provide precise indications on how these recommendations can be implemented in practice, especially those concerning putting pressure on the authorities of the countries concerned.

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