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LIMITE

**VISA 79
COEST 314
COWEB 70
MIGR 216
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COMIX 230**

NOTE

From:	Presidency
To:	Visa Working Party/Mixed Committee (EU-Iceland/Norway and Switzerland/Liechtenstein)
Subject:	Annual report under the visa suspension mechanism: mid-term assessment and input for the next report

The visa suspension mechanism, set up in 2013 and first revised in 2017, introduced the obligation for the Commission to monitor ongoing compliance with visa liberalisation requirements and report regularly to the European Parliament and the Council (at least once a year), for a period of seven years after the date of entry into force of visa liberalisation. Initially, the report only covered the countries exempted from visa requirements following a dialogue on visa liberalisation. These are the countries of the Western Balkans (Albania, Serbia, Northern Macedonia, Montenegro, Bosnia-Herzegovina) and the Eastern Partnership (Ukraine, Moldavia, Georgia).

Following discussions on the future of visa policy under the Swedish Presidency¹, Member States acknowledged the necessity to review the visa suspension mechanism and to extend the scope of the report, which was later reflected first in the Commission's Communication of 30 May 2023 on the monitoring of EU's visa-free regimes² and then in the legislative proposal presented by the Commission on 18 October 2023. In line with the Communication, in its latest report on the suspension mechanism published in October 2023³, the Commission already covered other geographical areas outside the EU's neighbourhood, such as Vanuatu and the Eastern Caribbean states.

Amid discussions on the future of the EU visa policy held in the Visa Working Party (VWP) on 24 April 2024, the Belgian Presidency proposed to develop a common approach regarding the Commission's annual report on the visa suspension mechanism, notably with a view to fostering greater synergy between the Council and the Commission. Proposed measures included instituting regular follow-up discussions within the VWP, identifying priority countries for which close monitoring is deemed necessary, enabling Member States to provide guidance to the Commission for future outreach and awareness-raising actions, involving Member States in drafting specific recommendations for addressing third countries' identified shortcomings, and facilitating exchanges on potential (collective) notifications under the suspension mechanism.

Delegations broadly endorsed this approach, prompting the Presidency to organise such a discussion during the VWP in May. This exchange aims to review the report published last October, to assess the situation at mid-term and to monitor the follow-up given to the recommendations. It is also intended to provide the Commission with useful information for drafting the next report.

¹ Cfr notably 6268/23.

² 9508/23.

³ 14009/23.

Furthermore, the Presidency considers this discussion particularly timely in light of the visa liberalisation for Kosovo*, which came into effect on 1 January 2024. This presents an opportune moment to evaluate the first few months following the liberalisation, in particular to analyse the consequences of visa exemption (such as a potential increase in asylum applications) and to assess the Kosovo* authorities' cooperation with the EU in the field of migration, including on readmission.

As pointed out by delegations, we must try to make the most of the tools at our disposal, of which the report under the visa suspension mechanism is an integral part. The Presidency therefore invites delegations to answer the following questions to guide our upcoming discussion:

- *How do delegations assess the implementation of the recommendations by the third countries 6 months after the publication of the report (in relation to visa policy alignment, unfounded asylum applications, etc.)?*

What are the most important issues that still need to be addressed?

- *How do delegations assess the first months following visa liberalisation for Kosovo*, notably in terms of asylum applications and collaboration with the Kosovo* authorities?*
- *Which third countries do Member States consider need closer monitoring in the context of the next report to be published by the Commission and for what reason(s)?*

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.