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NOTE

From:	General Secretariat of the Council
To:	Visa Working Party/Mixed Committee (EU-Iceland/Norway and Switzerland/Liechtenstein)
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) 2018/1806 as regards the revision of the suspension mechanism – four-column table

Delegations will find in annex the four-column table on the above-mentioned Regulation.

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulation (EU) 2018/1806 as regards the revision of the suspension mechanism**

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
1	2023/0371 (COD)	2023/0371 (COD)	2023/0371 (COD)	
2	Proposal for a	Proposal for a	Proposal for a	
3	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	
4	amending Regulation (EU) 2018/1806 as regards the revision of the suspension mechanism	amending Regulation (EU) 2018/1806 as regards the revision of the suspension mechanism	amending Regulation (EU) 2018/1806 as regards the revision of the suspension mechanism	
5	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
6	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2), point (a) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2), point (a) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 77(2), point (a) thereof,	
7	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	

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8	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
10	Whereas:	Whereas:	Whereas:	
11	<p>(1) Regulation (EU) 2018/1806 of the European Parliament and of the Council¹ lists the third countries whose nationals are to be in possession of visas when crossing the external borders of the Member States and those whose nationals are exempt from that requirement for stays of no more than 90 days in any 180-day period.</p> <p>1. Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 303 28.11.2018, p. 39).</p>	<p>(1) Regulation (EU) 2018/1806 of the European Parliament and of the Council¹ lists the third countries whose nationals are to be in possession of visas when crossing the external borders of the Member States and those whose nationals are exempt from that requirement for stays of no more than 90 days in any 180-day period.</p> <p>1. Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 303 28.11.2018, p. 39).</p>	<p>(1) Regulation (EU) 2018/1806 of the European Parliament and of the Council¹ lists the third countries whose nationals are to be in possession of visas when crossing the external borders of the Member States and those whose nationals are exempt from that requirement for stays of no more than 90 days in any 180-day period.</p> <p>1. Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (OJ L 303 28.11.2018, p. 39).</p>	
11a		<p><u>(1a) Visa-free travel brings significant benefits to the Union and third countries alike. Economic, social and cultural relations with third countries create prosperity and establish</u></p>		

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		<i>the Union as an open and free bloc. The Union's common visa policy, in that regard, is a cornerstone of its engagement with third countries. At the same time, the evolving geopolitical context has brought new challenges linked to visa-free travel. Abuse of, and security risks resulting from, visa-free travel to the Union require a swift and adequate response. It is imperative that the Union be equipped to deal with those challenges accordingly.</i>		
12	(2) The mechanism for the temporary suspension of the exemption from the visa requirement for the nationals of a third country listed in Annex II to Regulation (EU) 2018/1806 ('the suspension mechanism') should be strengthened for the Union to have at its disposal a more efficient safeguard aimed at preventing a wider range of irregular migration, public policy and security risks arising from the third countries listed in that Annex II, as well as the abuse of the visa exemption through the operation of investor citizenship schemes by those third countries.	(2) <u>In order to address the new challenges linked to visa-free travel,</u> the mechanism for the temporary suspension of the exemption from the visa requirement for the nationals of a third country listed in Annex II to Regulation (EU) 2018/1806 ('the suspension mechanism') should be strengthened for the Union to have at its disposal a more efficient safeguard aimed at preventing a wider range of irregular migration, public policy and security risks arising from the third countries listed in that Annex II, as well as the abuse of the visa exemption through the operation	(2) The mechanism for the temporary suspension of the exemption from the visa requirement for the nationals of a third country listed in Annex II to Regulation (EU) 2018/1806 ('the suspension mechanism') should be strengthened for the Union to have at its disposal a more efficient safeguard aimed at preventing a wider range of irregular migration, public policy and security risks arising from the third countries listed in that Annex II, as well as the abuse of the visa exemption through the operation of investor citizenship schemes by those third countries.	

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		of investor citizenship schemes by those third countries.		
13	(3) In particular, the use of the suspension mechanism should be facilitated by broadening the possible grounds for suspension, adapting the relevant thresholds and procedures, and strengthening the Commission's monitoring and reporting obligations.	(3) In particular, the use of the suspension mechanism should be facilitated by broadening the possible grounds for suspension, adapting <u>making</u> the relevant thresholds and procedures, more <u>precise</u> and strengthening the Commission's monitoring and reporting obligations. <u>Furthermore, the Commission should assess the overall impact of visa suspensions, including on reciprocity.</u>	(3) In particular, the use of the suspension mechanism should be facilitated by broadening the possible grounds for suspension, adapting the relevant thresholds and procedures, and strengthening the Commission's monitoring and reporting obligations.	
14	(4) The Union has concluded a number of agreements on the short-stay visa waiver with countries listed in Annex II to Regulation (EU) 2018/1806 which may include different grounds for suspension or different procedures than the ones set out in the suspension mechanism, and may conclude further of those agreements in the future. As the Union respects international agreements and, thus, is bound by these agreements, the relevant different provisions set out in those agreements should be applied instead of the relevant	(4) The Union has concluded a number of agreements on the short-stay visa waiver with countries listed in Annex II to Regulation (EU) 2018/1806 which may include different grounds for suspension or different procedures than the ones set out in the suspension mechanism, and may conclude further of. <u>It should be possible for the Union to suspend the visa-free regime established by those agreements in the future. As by means of a generally applicable legal act of the Union respects international agreements and, thus, is bound by these</u>	(4) The Union has concluded a number of agreements on the short-stay visa waiver with countries listed in Annex II to Regulation (EU) 2018/1806 which may include different grounds for suspension or different procedures than the ones set out in. <u>In case such an agreement has been concluded and where the Union deems necessary to suspend the visa-free regime for the third country concerned, the agreement should be suspended through the adoption of a Council decision. Additionally, it will be necessary to provide for</u> the suspension	

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	provisions of the suspension mechanism.	agreements. <u>For that reason</u> , the relevant different provisions <u>grounds for suspension</u> set out in those agreements should be applied instead of the relevant provisions of <u>included in</u> the suspension mechanism. <u>However, the use of the grounds for suspension set out in a short-stay visa waiver agreement should be limited to the scope of application of that agreement.</u>	mechanism, and may conclude further of those agreements in the future. As the <u>of the exemption at the level of</u> Union respects international agreements and <u>law</u> , thus, is bound by these agreements, the relevant different provisions set out in those agreements should be applied instead of the relevant provisions <u>by means</u> of the suspension mechanism.	
14a			<u>(4a) The suspension mechanism may be triggered in case of a significant risk or imminent threat to the public policy or internal security of Member states. When assessing said risk or imminent threat, terrorist offences and activities of organised criminal groups should be taken into account.</u>	
15	(5) In its conclusions of 22 October 2021, the European Council invited the Commission to propose any necessary changes to the Union's legal framework and concrete measures to ensure an immediate and appropriate response to hybrid threats in line with Union law and international obligations. Therefore, it should be	(5) In its conclusions of 22 October 2021, the European Council invited the Commission to propose any necessary changes to the Union's legal framework and concrete measures <u>Due to a need</u> to ensure an immediate and appropriate response to hybrid threats in line with Union law and international obligations.	(5) In its conclusions of 22 October 2021, the European Council rejected any attempts by <u>third countries to instrumentalise migrants for political purposes</u> <u>and</u> invited the Commission to propose any necessary changes to the Union's legal framework and concrete measures to ensure an immediate and appropriate	

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	possible to trigger the suspension mechanism in case of risks or threats to the public policy or internal security of the Member States arising from hybrid threats such as situations of state-sponsored instrumentalisation of migrants aimed at destabilising or undermining society and key institutions.	<i>Therefore</i> , it should be possible to trigger the suspension mechanism in case of risks or threats to the public policy or internal security of the Member States arising from hybrid threats such as situations of state-sponsored instrumentalisation of migrants aimed at destabilising or undermining , <u>as referred to in Regulation (EU) 2024/1359, which aim to destabilise or undermine</u> society and key institutions.	response to hybrid threats in line with Union law and international obligations. Therefore, it should be possible to trigger the suspension mechanism in case of risks or threats to the public policy or internal security of the Member States arising from hybrid threats such as situations of state-sponsored instrumentalisation of migrants aimed at destabilising or undermining society and key institutions.	
15a			<u>(5a) Special consideration should also be paid to deficiencies in document security, as it is essential that the travel and (breeder) identity documents issued by countries listed in Annex II for travel purposes to the territory of Member States can be fully trusted and not easily falsified or counterfeited.</u>	
16	(6) Investor citizenship schemes operated by third countries listed in Annex II to Regulation (EU) 2018/1806 allow visa-free travel to the Union to third-country nationals that would otherwise be visa required. Under an investor citizenship scheme,	(6) Investor citizenship schemes operated by third countries listed in Annex II to Regulation (EU) 2018/1806 allow visa-free travel to the Union to third-country nationals that would otherwise be visa required. Under an investor citizenship scheme,	(6) Investor citizenship schemes operated by third countries listed in Annex II to Regulation (EU) 2018/1806 allow visa-free travel to the Union to third-country nationals that would otherwise be visa required. Under an investor citizenship scheme,	

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	<p>citizenship is granted in return for pre-determined payments or investments without any genuine link to the third country concerned. While the Union respects the right of sovereign countries to decide on their own naturalisation procedures, visa-free third countries should be deterred from using visa-free access to the Union as a tool for leveraging individual investment in return for their citizenship. To prevent visa-free access to the Union being used for this purpose, it should be possible to suspend the visa exemption for a third country which chooses to operate such investor citizenship schemes, whereby citizenship is granted without any genuine link to the third country concerned.</p>	<p>citizenship is granted in return for pre-determined payments or investments without any genuine link to the third country concerned. While the Union respects the right of sovereign countries to decide on their own naturalisation procedures, visa-free third countries should be deterred from using visa-free access to the Union as a tool for leveraging individual investment in return for their citizenship. <u>In addition, a lack of comprehensive security checks, vetting procedures and due diligence by such third countries with regard to investor citizenship schemes pose several serious security risks for Union citizens, such as those stemming from money laundering and corruption.</u> To prevent visa-free access to the Union being used for this purpose, it should be possible to suspend the visa exemption for a third country which chooses to operate such investor citizenship schemes, whereby citizenship is granted without any genuine link to the third country concerned.</p>	<p>citizenship is granted in return for pre-determined payments or investments without any genuine link to the third country concerned. While the Union respects the right of sovereign countries to decide on their own naturalisation procedures, visa-free third countries should be deterred from using visa-free access to the Union as a tool for leveraging individual investment in return for their citizenship. To prevent visa-free access to the Union being used for this purpose, it should be possible to suspend the visa exemption for a third country which chooses to operate such investor citizenship schemes, whereby citizenship is granted without any genuine link to the third country concerned.</p>	
17	(7) Where the visa policy of a third country listed in Annex II to	(7) Where the visa policy of a third country listed in Annex II to	(7) Where the visa policy of a third country listed in Annex II to	

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	Regulation (EU) 2018/1806 is not aligned with the visa policy of the Union as regards the list of third countries whose nationals are required to be in possession of a visa when crossing the external borders of the Member States, this could result in irregular migration to the Union, in particular where the concerned third country is in close geographic proximity to the Union. Therefore, it should be possible to trigger the suspension mechanism where, following an assessment, the Commission concludes that there is a risk of a substantial increase in the number of third-country nationals, other than nationals of that third country, who arrive legally in the territory of that third country and then irregularly enter the territory of the Member States.	Regulation (EU) 2018/1806 is not aligned with the visa policy of the Union as regards the list of third countries whose nationals are required to be in possession of a visa when crossing the external borders of the Member States, this could result in irregular migration to the Union, in particular where the concerned third country is in close geographic proximity to the Union. Therefore, it should be possible to trigger the suspension mechanism where, following an assessment, the Commission concludes that there is a <i>risk of a</i> substantial increase in the number of third-country nationals, other than nationals of that third country, who arrive legally in the territory of that third country and then irregularly enter the territory of the Member States.	Regulation (EU) 2018/1806 is not aligned with the visa policy of the Union as regards the list of third countries whose nationals are required to be in possession of a visa when crossing the external borders of the Member States, this could result in irregular migration to the Union, in particular where the concerned third country is in close geographic proximity to the Union. Therefore, it should be possible to trigger the suspension mechanism where, following an assessment, the Commission concludes that there is a risk of a substantial increase in the number of third-country nationals, other than nationals of that third country, who arrive legally in the territory of that third country and then irregularly enter the territory of the Member States.	
17a			<u>(7a) Regulation (EU) 2018/1806 determines the third countries whose nationals are subject to, or exempt from, the visa requirement. Some of the criteria used for the purpose of exemption from the visa requirement are reflected in the grounds for suspension in other provisions of that regulation, thereby ensuring</u>	

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			<p><u>a link between the criteria for granting visa exemption and the grounds for suspension. The revised suspension mechanism should therefore also provide for the possibility to suspend the visa-free regime in case of a significant and abrupt deterioration in the Union's external relations with a third country listed in Annex II, in particular when it relates to human rights and fundamental freedoms. These circumstances could derive from serious human rights violations and abuses, or serious breaches of international law and standards, including human rights law and non-compliance with international court decisions and rulings. Moreover, given that these circumstances will affect the external relations of the Union as a whole, the triggering of the suspension mechanism on this ground should be the exclusive prerogative of the Commission, after consultation of the Member States. Additionally, where the Commission considers suspending the visa exemption on this ground, its assessment should</u></p>	

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			<u>take into account the potential impact of the suspension on the nationals of the third country concerned.</u>	
17b		<u>(7a) Refusing or failing to process readmission applications could include cases of a third country failing to assist, in a timely manner, in identifying third country nationals for whom a Member State has submitted readmission applications to that third country or otherwise creating persisting practical obstacles regarding the enforcement of readmission decisions.</u>		
17c			<u>(7b) The short-stay visa waiver agreements concluded with countries listed in Annex II to Regulation (EU) 2018/1806 may include different grounds for suspension than the ones set out in the suspension mechanism. Consequently, the Union should be able to use these grounds to suspend the visa-free regime, also at the level of Union law. However, the use of the grounds for suspension set out in short-stay visa waiver agreements</u>	

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			<u>should be limited to the scope of application of such agreements.</u>	
18	<p>(8) The thresholds to trigger the suspension mechanism in case of a substantial increase in the number of nationals of a third country refused entry or found to be staying in the Member State's territory without a right to do so, or in the number of asylum applications from the nationals of that third country for which the recognition rate is low, or in the number of serious criminal offences linked to the nationals of that third country, should be subject to a case-by-case assessment by the Commission. In particular, the Commission should be able to assess whether there are specific circumstances, in the cases notified by Member States or under its own analysis, which would justify the application of lower or higher thresholds than those indicated in relevant provisions of Regulation (EU) 2018/1806. The Commission's assessment should take into account, for example, the number of unauthorised crossings of the external borders of the Member States, unfounded asylum</p>	<p>(8) The thresholds to trigger the suspension mechanism in case of a substantial increase in the number of nationals of a third country refused entry or found to be staying in the Member State's territory without a right to do so, or in the number of asylum applications from the nationals of that third country for which the recognition rate is low, or in the number of serious criminal offences linked to the nationals of that third country, should be subject to a case-by-case assessment by the Commission <u>clearly set out in order to avoid diverging interpretations and the risk of inconsistent practices</u>. In particular, the Commission should be able to assess whether there are specific circumstances, in the cases notified by Member States or under its own analysis, which would justify the application of lower or higher thresholds than those indicated in the relevant provisions of Regulation (EU) 2018/1806. The Commission's assessment should</p>	<p>(8) The thresholds to trigger the suspension mechanism in case of a substantial increase in the number of nationals of a third country refused entry or found to be staying in the Member State's territory without a right to do so, or in the number of asylum applications from the nationals of that third country for which the recognition rate is low, or in the number of serious criminal offences linked to the nationals of that third country, should be subject to a case-by-case assessment by the Commission. In particular, the Commission should be able to assess whether there are specific circumstances, in the cases notified by Member States or under its own analysis, which would justify the application of lower or higher thresholds than those indicated in relevant provisions of Regulation (EU) 2018/1806. The Commission's assessment should take into account, for example, the number of unauthorised crossings of the external borders of the Member States, unfounded asylum</p>	

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	applications or criminal offences in proportion to the number and size of Member States affected and the impact of those numbers on the overall migratory situation, functioning of the asylum systems or internal security of the Member States affected, as well as actions taken by the third country concerned to remedy the situation.	take <u>Additionally, taking</u> into account, for example, the number of unauthorised crossings of the external borders of the Member States, unfounded asylum applications or criminal offences in proportion to the number and size of Member States affected and the impact of those numbers on the overall migratory situation, <u>functioning that a suspension of the asylum systems or internal security of the Member States affected, as well as actions taken by exemption from the visa requirement might have on relations with</u> the third country concerned to remedy the situation <u>and on the rights of its nationals, the Commission should thoroughly assess the necessity, proportionality and consequences of such a suspension before adopting the relevant act.</u>	applications or criminal offences in proportion to the number and size of Member States affected and the impact of those numbers on the overall migratory situation, functioning of the asylum systems or internal security of the Member States affected, as well as actions taken by the third country concerned to remedy the situation.	
18a		<u>(8a) For the purpose of determining whether a recognition rate of asylum application is low, it is important that the Commission carry out a case-by-case assessment, taking into account the latest available yearly Union-wide average Eurostat data, the way in which</u>		

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		<u>relevant Union law on asylum is being implemented, and the specific circumstances of the third country concerned.</u>		
18b		<u>(8b) It should be possible to trigger the suspension mechanism in the event of serious breaches by a third country of the principles set out in the Charter of the United Nations or in the event of grave violations of the obligations deriving from international human rights law or international humanitarian law, violations of bilateral agreements between the Union and that third country, non-compliance or non-alignment with relevant Union sanctions, or hostile acts towards the Union or Member States which aim to destabilise or undermine society and key institutions for the public policy and internal security of the Member states and the Union. Such hostile acts could result from foreign interference in political processes, economic coercion, cyber operations, economic espionage or the sabotage of critical infrastructure.</u>		

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18c		<i><u>(8c) Where the Commission considers suspending an exemption from the visa requirement on its own accord or following a notification by a Member State, the Commission should take into account, in its evaluation, the impact of the proposed suspension on the principles of visa reciprocity and non-discrimination and whether the proposed suspension represents an appropriate measure to remedy the situation. Special attention should be given to civil society, in particular where the human rights situation in the third country concerned has deteriorated.</u></i>		
19	(9) For the purpose of notifying to the Commission the circumstances that may amount to a ground for suspension, Member States should be able to take into account reference periods longer than two months in order to identify not only sudden changes in the relevant situation, but also longer-term trends that may justify the use of the visa suspension mechanism.	(9) For the purpose of notifying to the Commission the circumstances that may amount to a ground for suspension, Member States should be able to take into account reference periods longer than two <u>between two and twelve</u> months in order to identify not only sudden changes in the relevant situation, but also longer-term trends that may justify the use of the visa suspension mechanism. <u>The suspension mechanism should only be</u>	(9) For the purpose of notifying to the Commission the circumstances that may amount to a ground for suspension, Member States should be able to take into account reference periods longer than two months in order to identify not only sudden changes in the relevant situation, but also longer-term trends that may justify the use of the visa suspension mechanism.	

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		<i><u>triggered where the reasons for relying on the relevant ground are sufficient and clear. The Commission should fully and immediately inform the European Parliament and the Council of notifications it receives and decisions it takes as a result.</u></i>		
20	(10) Whenever it considers it necessary, or upon request by the European Parliament or by the Council, the Commission should report on the outcome of its systematic monitoring of the visa-free regimes with all the third countries listed in Annex II to Regulation (EU) 2018/1806. The report should focus on those third countries which, according to the Commission's analysis, present specific problems that, if not addressed, may lead to trigger the suspension mechanism. In particular, the Commission should consider reporting on countries which have been newly listed in Annex II without undergoing a visa liberalisation dialogue, where it considers it necessary and in particular in the first years following the entry into force of the visa exemption for those countries.	(10) Whenever it considers it necessary, or upon request by the European Parliament or by the Council, the Commission should report on the outcome of its systematic monitoring of the visa-free regimes with all the third countries listed in Annex II to Regulation (EU) 2018/1806. The report should focus on those third countries which, according to the Commission's analysis, present specific problems that, if not addressed, may lead to trigger the suspension mechanism. In particular, the Commission should consider reporting <u>report</u> on countries which have been newly listed in Annex II without undergoing a visa liberalisation dialogue, where it considers it necessary and in particular in the first years following the entry into force of the visa exemption for those countries.	(10) Whenever it considers it necessary, or upon request by the European Parliament or by the Council, the Commission should report on the outcome of its systematic monitoring of the visa-free regimes with all the third countries listed in Annex II to Regulation (EU) 2018/1806, <u>on the basis, inter alia, of data from EU IT systems, such as the EES and ETIAS, and agencies</u> . The report should focus on those third countries which, according to the Commission's analysis, present specific problems that, if not addressed, may lead to trigger the suspension mechanism. In particular, the Commission should consider reporting on countries which have been newly listed in Annex II without undergoing a visa liberalisation dialogue, where it considers it necessary and in particular in the first years	

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			following the entry into force of the visa exemption for those countries.	
20a		<i><u>(10a) In light of the far-reaching consequences that the temporary suspension of an exemption from the visa requirement might have on the nationals of the third country concerned, the Commission should favour a targeted approach, applying the suspension first and foremost to selected individuals holding positions of responsibility, such as members of that third country's official delegations, members of local, regional and national governments, members of parliaments or high-ranking public or military officials, while making every effort to minimise the adverse consequences on the general population of that third country. The Commission should continuously monitor whether the triggering of the suspension mechanism has achieved the intended result and regularly report thereon to the European Parliament and to the Council.</u></i>		
21	(11) Where a decision to temporarily suspend the visa	(11) Where a decision to temporarily suspend the visa	(11) Where a decision to temporarily suspend the visa	

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	<p>exemption for a third country has been taken, there should be an adequate timeframe for the enhanced dialogue between the Commission and the concerned third country aimed at remedying the circumstances that led to the suspension. For this purpose, the duration of the temporary suspension decided by a Commission implementing act should be 12 months in a first phase, with a possibility to extend it by a further 24 months with a delegated act in a second phase. Where no solution is found before the end of the period of validity of the delegated act and the Commission presents a legislative proposal to transfer the concerned third country from Annex II to Annex I of Regulation (EU) 2018/1806, the Commission should adopt a delegated act extending the temporary suspension until the entry into force of the adopted proposal.</p>	<p>exemption for a third country has been taken, there should be an adequate timeframe for the enhanced dialogue between the Commission and the concerned third country aimed at remedying the circumstances that led to the suspension. For this purpose, the duration of the temporary suspension decided by a Commission implementing act should be 12 months in a first phase, with a possibility to extend it by a further 24 months with a delegated act in a second phase. Where no solution is found before the end of the period of validity of the delegated act and the Commission presents a legislative proposal to transfer the concerned third country from Annex II to Annex I of Regulation (EU) 2018/1806, the Commission should adopt a delegated act extending the temporary suspension <u>for a further six months or</u> until the entry into force of the adopted proposal, <u>whichever comes first</u>.</p>	<p>exemption for a third country has been taken, there should be an adequate timeframe for the enhanced dialogue between the Commission and the concerned third country aimed at remedying the circumstances that led to the suspension. For this purpose, the duration of the temporary suspension decided by a Commission implementing act should be 12 months in a first phase, with a possibility to extend it by a further 24 months with a delegated act in a second phase. Where no solution is found before the end of the period of validity of the delegated act and the Commission presents a legislative proposal to transfer the concerned third country from Annex II to Annex I of Regulation (EU) 2018/1806, the Commission should adopt a delegated act extending the temporary suspension until the entry into force of the adopted proposal.</p>	
22	<p>(12) The Commission should adopt immediately applicable implementing acts where, in duly justified cases related to the</p>	<p>(12) The Commission should adopt immediately applicable implementing acts where, in duly justified cases related to the</p>	<p>(12) The Commission should adopt immediately applicable implementing acts where, In duly justified cases related to the</p>	

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	triggering of the suspension mechanism, imperative grounds of urgency require expedited action, in particular to prevent any abuse of visa-free travel causing a mass influx of third-country nationals arriving irregularly in the territory of the Member States or a serious damage to the public policy or internal security of Member States.	triggering of the suspension mechanism, imperative grounds of urgency require expedited <u>serious threat to public policy or internal security of a Member State requires immediate</u> action, in particular to prevent any abuse of visa-free travel causing a mass influx of third-country nationals arriving irregularly in the territory of the Member States or a serious damage to the public policy or internal security of Member States.	triggering of the suspension mechanism, imperative grounds of urgency require expedited action, in particular of the matter requires it, for example to prevent any abuse of visa-free travel causing a mass influx of third-country nationals arriving irregularly in the territory of the Member States or a serious damage to the public policy or internal security of Member States, <u>the Commission should adopt implementing acts in accordance with Article 5 in conjunction with Article 3(3) and (5) of Regulation (EU) 182/2011. Such provisions allow, in particular, to impose shorter time limits to the competent committee to deliver its opinion.</u>	
23	(13) The temporary suspension should be lifted at any time where the circumstances that led to the suspension are remedied before the end of the period of the suspension. To this end, the Commission should adopt, respectively, an implementing act before the end of the period of suspension set out in the relevant implementing act, and a delegated act before the end of the period of	(13) The temporary suspension should be lifted at any time where the circumstances that led to the suspension are remedied before the end of the period of the suspension <u>or where the suspension turns out to be ineffective for the purpose of remedying the situation.</u> To this end, the Commission should adopt, respectively, an implementing act before the end of	(13) The temporary suspension should be lifted at any time where the circumstances that led to the suspension are remedied before the end of the period of the suspension. To this end, the Commission should adopt, respectively, an implementing act before the end of the period of suspension set out in the relevant implementing act, and a delegated act before the end of the period of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	suspension set out in the relevant delegated act.	the period of suspension set out in the relevant implementing act, and a delegated act before the end of the period of suspension set out in the relevant delegated act.	suspension set out in the relevant delegated act.	
23a	<p>(17) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC¹; Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.</p> <p>1. 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 (OJ L 64, 7.3.2002, p.20).</p> <p>Moved reference text</p>		<p>(17)^{13a} This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC¹; Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.</p> <p>1. 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 (OJ L 64, 7.3.2002, p.20).</p> <p>Moved from row 27 [27 - 23a]</p>	
24	(14) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latters' association	(14) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latters' association	(14) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latters' association	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>with the implementation, application and development of the Schengen acquis, which fall within the area referred to in Article 1, point B, of Council Decision 1999/437/EC¹.</p> <p>1. Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (OJ L 176, 10.7.1999, p. 31).</p>	<p>with the implementation, application and development of the Schengen acquis, which fall within the area referred to in Article 1, point B <u>points B and C</u>, of Council Decision 1999/437/EC¹.</p> <p>1. Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (OJ L 176, 10.7.1999, p. 31).</p>	<p>with the implementation, application and development of the Schengen acquis, which fall within the area referred to in Article 1, point B, of Council Decision 1999/437/EC¹.</p> <p>1. Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (OJ L 176, 10.7.1999, p. 31).</p>	
25	<p>(15) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement signed between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis¹, which fall within the area referred to in Article 1, points B and C, of Decision 1999/437/EC, read in conjunction with Article 3</p>	<p>(15) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement signed between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis¹, which fall within the area referred to in Article 1, points B and C, of Decision 1999/437/EC, read in conjunction with Article 3</p>	<p>(15) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement signed between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis¹, which fall within the area referred to in Article 1, points B and C, of Decision 1999/437/EC, read in conjunction with Article 3</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>of Council Decision 2008/146/EC².</p> <p>1. OJ L 53, 27.2.2008, p. 52. 2. Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53, 27.2.2008, p. 1).</p>	<p>of Council Decision 2008/146/EC².</p> <p>1. OJ L 53, 27.2.2008, p. 52. 2. Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53, 27.2.2008, p. 1).</p>	<p>of Council Decision 2008/146/EC².</p> <p>1. OJ L 53, 27.2.2008, p. 52. 2. Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53, 27.2.2008, p. 1).</p>	
26	<p>(16) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis¹, which fall within the area referred to in Article 1, points B and C, of Decision 1999/437/EC, read in conjunction with Article 3</p>	<p>(16) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis¹, which fall within the area referred to in Article 1, points B and C, of Decision 1999/437/EC, read in conjunction with Article 3</p>	<p>(16) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen acquis within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis¹, which fall within the area referred to in Article 1, points B and C, of Decision 1999/437/EC, read in conjunction with Article 3</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>of Council Decision 2011/350/EU².</p> <p>1. OJ L 160, 18.6.2011, p. 21. 2. Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).</p>	<p>of Council Decision 2011/350/EU².</p> <p>1. OJ L 160, 18.6.2011, p. 21. 2. Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).</p>	<p>of Council Decision 2011/350/EU².</p> <p>1. OJ L 160, 18.6.2011, p. 21. 2. Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).</p>	
27	<p>(17) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC¹; Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.</p> <p>1. 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 (OJ L 64, 7.3.2002, p.20).</p>	<p>(17) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC¹; Ireland is therefore not taking part in the adoption of this Regulation and is not bound by it or subject to its application.</p> <p>1. 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 (OJ L 64, 7.3.2002, p.20).</p>	Moved to row 23a [27 - 23a]	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
28	(18) This Regulation constitutes an act building upon, or otherwise relating to, the Schengen acquis within, respectively, the meaning of Article 3(1) of the 2003 Act of Accession and Article 4(1) of the 2005 Act of Accession,	(18) This Regulation constitutes an act building upon, or otherwise relating to, the Schengen acquis within, respectively, the meaning of Article 3(1) of the 2003 Act of Accession and Article 4(1) of the 2005 Act of Accession,	(18) <u>As regards Cyprus, and Bulgaria and Romania,</u> this Regulation constitutes an act building upon, or otherwise relating to, the Schengen acquis within, respectively, the meaning of Article 3(1) of the 2003 Act of Accession and Article 4(1) of the 2005 Act of Accession,	
29	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
30	Article 1	Article 1	Article 1	
31	Regulation (EU) 2018/1806 is amended as follows:	Regulation (EU) 2018/1806 is amended as follows:	Regulation (EU) 2018/1806 is amended as follows:	
31a		<u>(-1) In Article 7 point (d) is replaced by the following:</u> <u>“(d) the Commission shall, when considering further steps in accordance with point (e) or (h), take into account the outcome of the measures taken by the Member State concerned with a view to ensuring visa-free travel with the third country in question, the steps taken in accordance with point (b), and the consequences of the suspension of the exemption from the visa requirement for the</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>external relations of the Union and its Member States with the third country in question;</i></u>		
32	(1) Article 8 is replaced by the following:	(1) Article 8 is replaced by the following:	(1) Article 8 is replaced by the following:	
33	“ Article 8	“ Article 8	“ Article 8	
34	Suspension mechanism	Suspension mechanism	Suspension mechanism	
35	1. By way of derogation from Article 4, the exemption from the visa requirement for nationals of a third country listed in Annex II shall be temporarily suspended, based on relevant and objective data, in accordance with the conditions and procedure set out in Articles 8a to 8f.	1. By way of derogation from Article 4, the exemption from the visa requirement for nationals of a third country listed in Annex II shall be temporarily suspended, based on relevant and objective data, in accordance with the conditions and procedure set out in Articles 8a to 8f.	1. By way of derogation from Article 4, the exemption from the visa requirement for nationals of a third country listed in Annex II shall be temporarily suspended, based on relevant and objective data, in accordance with the conditions and procedure <u><i>(“suspension mechanism”)</i></u> set out in Articles 8a to 8f.	
36	The suspension mechanism may be triggered by a notification of a Member State to the Commission in accordance with Article 8b, or on the basis of the Commission’s own analysis in accordance with Article 8c.	The suspension mechanism may be triggered by a notification of a Member State to the Commission in accordance with Article 8b, or on the basis of the Commission’s own analysis in accordance with Article 8c.	The suspension mechanism may be triggered by a notification of a Member State to the Commission in accordance with Article 8b, or on the basis of the Commission’s own analysis in accordance with Article 8c.	
37	2. In cases where an agreement on the short-stay visa waiver between the Union and a	2. In cases where an agreement on the short-stay visa waiver between the Union and a	2. In cases where an agreement on the short-stay visa waiver between the Union and a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	third country listed in Annex II includes provisions on different grounds or procedures for suspension, those provisions shall be applied instead of Articles 8a, 8e and 8f of this Regulation. ”	third country listed in Annex II includes provisions on different grounds or procedures for suspension <u>has been concluded</u> , those provisions shall be applied instead of Articles 8a, 8e and 8f of this Regulation <u>shall apply without prejudice to the relevant provisions on grounds for suspension and procedures set out in the agreement</u> . ”	third country listed in Annex II includes provisions on different grounds or procedures for suspension <u>has been concluded</u> , those provisions shall be applied instead of Articles 8a, 8e and 8f of this Regulation <u>shall apply without prejudice to the relevant provisions on grounds for suspension and procedures set out in the agreement</u> . ”	
38	(2) the following Articles are inserted:	(2) the following Articles are inserted:	(2) the following Articles are inserted:	
39	“ Article 8a	“ Article 8a	“ Article 8a	
40	Grounds for suspension	Grounds for suspension	Grounds for suspension	
41	1. The suspension mechanism may be triggered on the following grounds:	1. The suspension mechanism may be triggered on <u>by any of</u> the following grounds:	1. The suspension mechanism may be triggered on <u>any of</u> the following grounds:	
42	(a) a substantial increase in the number of nationals of a third country listed in Annex II refused entry or found to be staying in a Member State’s territory without a right to do so;	(a) a substantial increase in the number of nationals of a third country listed in Annex II refused entry or found to be staying in a Member State’s territory without a right to do so;	(a) a substantial increase in the number of nationals of a third country listed in Annex II refused entry or found to be staying in a Member State’s territory without a right to do so;	

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43	(b) a substantial increase in the number of asylum applications from the nationals of a third country listed in Annex II for which the recognition rate is low;	(b) a substantial increase in the number of asylum applications from the nationals of a third country listed in Annex II for which the recognition rate is low;	(b) a substantial increase in the number of asylum applications from the nationals of a third country listed in Annex II for which the recognition rate is low;	
44	(c) a decrease in cooperation on readmission with a third country listed in Annex II, or other cases of non-cooperation on readmission;	(c) a decrease in cooperation on readmission with a third country listed in Annex II, or other cases of non-cooperation on readmission;	(c) a decrease in cooperation on readmission with a third country listed in Annex II, or other cases of non-cooperation on readmission;	
45	(d) a significant risk or imminent threat to the public policy or internal security of Member States related to a third country listed in Annex II deriving from any of the following:	(d) a significant risk or imminent threat to the public policy or internal security of Member States related to a third country listed in Annex II deriving from any of the following:	(d) a significant risk or imminent threat to the public policy or internal security of Member States related to a third country listed in Annex II, <i>in particular</i> deriving from any of the following:	
46	(i) a substantial increase in serious criminal offences, linked to the nationals of that third country, substantiated by objective, concrete and relevant information and data provided by the competent authorities;	(i) a substantial increase in serious criminal offences, linked to the nationals of that third country, substantiated by objective, concrete and relevant information and data provided by the competent authorities; <i>or</i>	(i) a substantial increase in serious criminal offences, linked to the nationals of that third country, substantiated by objective, concrete and relevant information and data provided by the competent authorities;	
47	(ii) hybrid threats;	(ii) hybrid threats;	(ii) hybrid threats;	
47a			<i>(iii) deficiencies in document security legislation or procedures;</i>	

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48	(e) the operation, by a third country listed in Annex II, of an investor citizenship scheme, whereby citizenship is granted without any genuine link to the third country concerned, in exchange for pre-determined payments or investments;	(e) the operation, by a third country listed in Annex II, of an investor citizenship scheme, whereby citizenship is granted without any genuine link to the third country concerned, in exchange for pre-determined payments or investments;	(e) the operation, by a third country listed in Annex II, of an investor citizenship scheme, whereby citizenship is granted without any genuine link to the third country concerned, in exchange for pre-determined payments or investments;	
49	(f) the non-alignment of the visa policy of a third country listed in Annex II, where, in particular because of the geographic proximity of that third country to the Union, there is a risk of a substantial increase in the number of third-country nationals, other than nationals of that third country, who enter irregularly the territory of the Member States after having stayed on, or transited through, the territory of that third country;	(f) the non-alignment of the visa policy of a third country listed in Annex II, where, in particular because of the geographic proximity of that third country to the Union, there is a risk of a substantial increase in the number of third-country nationals, other than nationals of that third country, who enter irregularly the territory of the Member States after having stayed on, or transited through, the territory of that third country;	(f) the non-alignment of the visa policy of a third country listed in Annex II, where, in particular because of the geographic proximity of that third country to the Union, there is a risk of a substantial increase in the number of third-country nationals, other than nationals of that third country, who enter irregularly the territory of the Member States after having stayed on, or transited through, the territory of that third country;	
50	(g) with regard to the third countries whose nationals have been exempted from the visa requirement when travelling to the territory of the Member States as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, the non-compliance with the specific	(g) with regard to the third countries whose nationals have been exempted from the visa requirement when travelling to the territory of the Member States as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, the non-compliance with the specific	(g) with regard to the third countries whose nationals have been exempted from the visa requirement when travelling to the territory of the Member States as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, the non-compliance with the specific	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.	requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.	requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.	
50a		<p><u>(ga) a deterioration in the Union's external relations with a third country listed in Annex II caused by:</u></p> <p><u>(i) serious breaches by that third country of the principles set out in the Charter of the United Nations;</u></p> <p><u>(ii) grave violations by that third country of the obligations deriving from international human rights law or international humanitarian law;</u></p> <p><u>(iii) violations by that third country of bilateral agreements between it and the Union;</u></p> <p><u>(iv) that third country carrying out hostile acts against the Union or Member States with the aim of destabilising or undermining society or institutions which are key for the public policy and internal security of the Union or the Member States;</u></p> <p><u>(v) non-compliance or non-alignment by that third country with relevant Union sanctions.</u></p>	<p><u>(h) a significant and abrupt deterioration in the Union's external relations with a third country listed in Annex II, in particular when it relates to human rights and fundamental freedoms and is deriving from any of the following:</u></p> <p><u>(i) serious human rights violations and abuses</u></p> <p><u>(ii) serious breaches of international law and standards, including human rights law and non-compliance with international court decisions and rulings;</u></p>	

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50b			<u>(i) any other ground for suspension set out in a short-stay visa waiver agreement between the Union and a third country listed in Annex II, limited to the scope of application of such agreement.</u>	
51	2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall mean an increase exceeding a threshold of 50%, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.	2. For the purposes of paragraph 1, points (a), (b) and (d)(i), <u>and paragraph 4</u> of this Article a substantial increase shall mean an increase exceeding a threshold of 50% <u>40 %</u> , unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case. <u>The Commission shall duly justify any such conclusion.</u>	2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall <u>be regarded as</u> mean an increase exceeding a threshold of 50% <u>30%</u> , unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase <u>different threshold</u> is applicable in the particular case, <u>by providing duly justified reasons for this decision.</u>	
52	3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than 4%, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.	<i>deleted</i>	3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall <u>be regarded as</u> mean a recognition rate of asylum applications of less than 4% <u>20%</u> , unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher <u>different</u> recognition rate is applicable in the particular case, <u>by providing</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<u>duly justified reasons for this decision.</u>	
53	4. For the purposes of paragraph 1, point (c), a decrease in cooperation on readmission with a third country listed in Annex II shall mean a substantial increase, substantiated by adequate data, in the refusal rate of readmission applications submitted by a Member State to that third country for its own nationals or, where a readmission agreement concluded between the Union or that Member State and that third country so provides, for third-country nationals having transited through that third country.	4. For the purposes of paragraph 1, point (c), a decrease in cooperation on readmission with a third country listed in Annex II shall mean a substantial increase, substantiated by adequate data, in in the refusal rate of readmission applications submitted by a Member State to that third country for its own nationals, or , where a readmission agreement concluded between the Union or that Member State and that third country so provides, for third-country nationals having transited through that third country, <u>provided that it can be duly justified that the decrease in cooperation is the result of the action or inaction of that third country and is not attributable to the Member State that submitted the readmission applications.</u>	4. For the purposes of paragraph 1, point (c), a decrease in cooperation on readmission with a third country listed in Annex II shall mean a substantial increase, substantiated by adequate data, in the refusal rate of readmission applications submitted by a Member State to that third country for its own nationals or, where a readmission agreement concluded between the Union or that Member State and that third country so provides, for third-country nationals having transited through that third country.	
54	5. For the purposes of paragraph 1, point (c), the following may be considered as other cases of non-cooperation on readmission:	5. For the purposes of paragraph 1, point (c), the following may be considered as other cases of non-cooperation on readmission:	5. For the purposes of paragraph 1, point (c), the following may be considered as other cases of non-cooperation on readmission:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
55	(a) refusing or failing to process readmission applications in due time;	(a) refusing or failing to process readmission applications in due time ;	(a) refusing or failing to process readmission applications in due time;	
56	(b) failing to issue travel documents in due time for the purposes of returning within the deadlines set out in the readmission agreement or refusing to accept European travel documents issued following the expiry of the deadlines set out in the readmission agreement;	(b) failing to issue travel documents <u>to its own nationals or persons recognised by the third country as having a right of residence in its territory</u> in due time for the purposes of returning within the deadlines set out in the readmission agreement or refusing to accept European travel documents issued following the expiry of the deadlines set out in the readmission agreement;	(b) failing to issue travel documents in due time for the purposes of returning within the deadlines set out in the readmission agreement or refusing to accept European travel documents issued following the expiry of the deadlines set out in the readmission agreement;	
57	(c) terminating or suspending the readmission agreement concluded between a third country listed in Annex II and the Union.	(c) terminating or suspending the readmission agreement concluded between a third country listed in Annex II and the Union.	(c) terminating or suspending the readmission agreement concluded between a third country listed in Annex II and the Union.	
58	Article 8b	Article 8b	Article 8b	
59	Notification by Member States and examination of the notification	Notification by Member States and examination of the notification	Notification by Member States and examination of the notification	
60	1. A Member State may notify the Commission if it is confronted, over a period of at least two months, compared with either the same period in the preceding year or the last two months prior to the implementation of the exemption	1. A Member State may notify the Commission if it is confronted, over a period of at least two <u>between two and twelve</u> months, compared with either the same period in the preceding year or the last two months prior to the	1. A Member State may notify the Commission if it is confronted, over a period of at least two months, compared with either the same period in the preceding year or the last two months prior to the implementation of the exemption	

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	from the visa requirement for nationals of a third country listed in Annex II, with one or more of the circumstances amounting to the grounds for suspension referred to in Article 8a(1), points (a), (b), (c), and (d)(i).	implementation of the exemption from the visa requirement for nationals of a third country listed in Annex II, with one or more of the circumstances amounting to the grounds for suspension referred to in Article 8a(1), points (a), (b), (c), and (d)(i).	from the visa requirement for nationals of a third country listed in Annex II, with one or more of the circumstances amounting to the grounds for suspension referred to in Article 8a(1), points (a), (b), (c), and (d)(i).	
60a		<u><i>1a. A Member State may notify the Commission of the existence of any of the grounds for suspension referred to in Article 8a(1), points (d)(ii), (e), (f), (g) and (ga).</i></u>	<u><i>1a. A Member State may also notify the Commission of the existence of circumstances that amount to the grounds for suspension as referred to in Article 8a(1), points (d)(ii), (d)(iii), (e), (f) and (i).</i></u>	
61	2. The notification referred to in paragraph 1 of this Article shall state the reasons on which it is based and shall include relevant data and statistics as well as a detailed explanation of the preliminary measures that the Member State concerned has taken with a view to remedying the situation. In its notification, the Member State concerned may specify the categories of nationals of the third country concerned which are to be covered by an implementing act under Article 8e(1), specifying the detailed reasons for doing so.	2. The notification referred to in paragraph 1 <u>paragraphs 1 and 1a</u> of this Article shall state the reasons on which it is based. <u>Where relevant, that notification</u> and shall include relevant data and statistics as well as a detailed explanation of the preliminary measures that the Member State concerned has taken with a view to remedying the situation. In its notification, the Member State concerned may specify the categories of nationals of the third country concerned which are to be covered by an implementing act	2. The notification referred to in paragraph 1 <u>and 1a</u> of this Article shall state the reasons on which it is based and shall include relevant data and statistics as well as a detailed explanation of the preliminary measures that the Member State concerned has taken with a view to remedying the situation. In its notification, the Member State concerned may specify the categories of nationals of the third country concerned which are to be covered by an implementing act under Article 8e(1), specifying the detailed reasons for doing so.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		under Article 8e(1), specifying the detailed reasons for doing so.		
62	3. The Commission shall inform the European Parliament and the Council immediately of such notification.	3. The Commission shall inform the European Parliament and the Council immediately of such notification.	3. The Commission shall inform the European Parliament and the Council immediately of such notification.	
63	4. The Commission shall examine any notification made pursuant to paragraph 1 of this Article, taking into account:	4. The Commission shall examine any notification made pursuant to paragraph <u>paragraphs 1 and 1a</u> of this Article, taking into account:	4. The Commission shall examine <u>without delay</u> any notification made pursuant to paragraph 1 <u>and 1a</u> of this Article, taking into account:	
64	(a) whether any of the circumstances amounting to the grounds referred to in Article 8a(1), points (a), (b), (c), or (d)(i) exist;	(a) whether any of the circumstances amounting to the grounds referred to in Article 8a(1), points (a), (b), (c), or (d)(i) exist;	(a) whether any of the circumstances amounting to the grounds referred to in Article 8a(1), points (a), (b), (c), <u>(d), (e), (f) or (i)</u> or (d)(i) exist;	
64a		<u>(aa) As part of its examination pursuant to paragraph 4, the Commission shall also assess the necessity, proportionality and consequences of a suspension of the exemption from the visa requirement.</u>		
65	(b) the number of Member States affected by any of those circumstances;	(b) the number of Member States affected by any of those circumstances;	(b) the number of Member States affected by any of those circumstances;	
66	(c) the overall impact of those circumstances on the migratory	(c) the overall impact of those circumstances on the migratory	(c) the overall impact of those circumstances on the migratory	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	situation in the Union as it appears from the data provided by the Member States or available to the Commission;	situation in the Union as it appears from the data provided by the Member States or available to the Commission;	situation in the Union as it appears from the data provided by the Member States or available to the Commission;	
67	<p>(d) the reports prepared by the European Border and Coast Guard¹, the European Union Agency for Asylum², the European Union Agency for Law Enforcement Cooperation (Europol)³ or any other relevant institution, body, office or agency of the Union or international organisation, if the circumstances so require in the specific case;</p> <p>1. Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1). 2. Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 (OJ L 468, 30.12.2021, p. 1). 3. Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA,</p>	<p>(d) the reports prepared by the European Border and Coast Guard¹, the European Union Agency for Asylum², the European Union Agency for Law Enforcement Cooperation (Europol)³ or any other relevant institution, body, office or agency of the Union or international organisation, if the circumstances so require in the specific case;</p> <p>1. Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1). 2. Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing Regulation (EU) No 439/2010 (OJ L 468, 30.12.2021, p. 1). 3. Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA,</p>	<p>(d) the reports prepared by the European Border and Coast Guard <u>established by Regulation (EU) 2019/1896 of the European Parliament and of the Council</u>¹, the European Union Agency for Asylum <u>established by Regulation (EU) 2021/2303 of the European Parliament and of the Council</u>², the European Union Agency for Law Enforcement Cooperation (Europol) <u>established by Regulation (EU) 2016/794 of the European Parliament and of the Council</u>³ or any other relevant institution, body, office or agency of the Union or international organisation, if the circumstances so require in the specific case;</p> <p>1. Regulation (EU) 2019/1896 of the European Parliament and of the Council of 13 November 2019 on the European Border and Coast Guard and repealing Regulations (EU) No 1052/2013 and (EU) 2016/1624 (OJ L 295, 14.11.2019, p. 1). 2. Regulation (EU) 2021/2303 of the European Parliament and of the Council of 15 December 2021 on the European Union Agency for Asylum and repealing</p>	

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	2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53).	2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53).	Regulation (EU) No 439/2010 (OJ L 468, 30.12.2021, p. 1). 3. Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA (OJ L 135, 24.5.2016, p. 53).	
68	(e) the information which the Member State concerned may have given in its notification in relation to possible measures under Article 8e(1);	(e) the information which the Member State concerned may have given in its notification in relation to possible measures under Article 8e(1);	(e) the information which the Member State concerned may have given in its notification in relation to possible measures under Article 8e(1);	
69	(f) the overall question of public policy and internal security, in consultation with the Member State concerned.	(f) the overall question of public policy and internal security, in consultation with the Member State concerned.	(f) the overall question of public policy and internal security, in consultation with the Member State concerned.	
70	5. The Commission shall inform the European Parliament and the Council of the results of its examination.	5. The Commission shall inform the European Parliament and the Council of the results of its examination.	5. The Commission shall inform the European Parliament and the Council of the results of its examination.	
71	Article 8c	Article 8c	Article 8c	
72	The Commission's monitoring and own analysis	The Commission's monitoring and own analysis	The Commission's monitoring and own analysis	
73	1. The Commission shall monitor the existence of the	1. The Commission shall monitor the existence of the	1. The Commission shall monitor the existence of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	grounds for suspension referred to in Article 8a(1) on a regular basis.	grounds for suspension referred to in Article 8a(1) on a regular basis.	grounds for suspension referred to in Article 8a(1) on a regular basis.	
74	With particular regard to the third countries which have been listed in Annex II as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, the Commission shall monitor the continuous compliance with the specific requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.	With particular regard to the third countries which have been listed in Annex II as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, the Commission shall monitor the continuous compliance with the specific requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.	With particular regard to the third countries which have been listed in Annex II as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, the Commission shall <u>also</u> monitor the continuous compliance with the specific requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.	
75	2. Where the Commission, taking into account the relevant data, reports and statistics, has concrete and reliable information on the existence of any of the grounds referred to in Article 8a(1) it shall inform the European Parliament and the Council of its analysis, and Article 8e and Article 8f shall apply.	2. Where the Commission, taking into account the relevant data, reports and statistics, <u>including data, reports and statistics from any relevant Union institution, body, office or agency, and after having carried out an assessment as referred to in Article 8b(4a)</u> , has concrete and reliable information on the existence of any of the grounds referred to in Article 8a(1) it shall inform the European Parliament and the Council of its analysis, and Article 8e and Article 8f shall apply.	2. Where the Commission, taking into account the relevant data, reports and statistics, has concrete and reliable information on the existence of any of the grounds referred to in Article 8a(1) it shall inform the European Parliament and the Council of its analysis, and Article 8e and Article 8f shall apply.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
76	Article 8d	Article 8d	Article 8d	
77	Reporting	Reporting	Reporting	
78	<p>1. The Commission shall report to the European Parliament and to the Council on the monitoring conducted in accordance with Article 8c(1) with regard to the third countries which have been listed in Annex II as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, at least once a year and for a period of seven years after the date of entry into force of visa liberalisation for those third countries, and thereafter whenever the Commission considers it to be necessary, or upon request by the European Parliament or by the Council. The report shall focus on the third countries which the Commission considers, based on concrete and reliable information, as no longer complying with certain specific requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.</p>	<p>1. The Commission shall <u>periodically</u> report to the European Parliament and to the Council on the monitoring conducted in accordance with Article 8c(1) with regard to the third countries which have been listed in Annex II as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, at least once a year and for a period of seven years after the date of entry into force of visa liberalisation for <u>ensuring that each of</u> those third countries, and thereafter whenever the Commission considers it to be necessary, or upon request by the European Parliament or by the Council. The report shall focus on the third countries which the Commission considers, based on concrete and reliable information, as no longer complying with certain specific requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation <u>is reported on at</u></p>	<p>1. The Commission shall report to the European Parliament and to the Council on the monitoring conducted in accordance with Article 8c(1) with regard to the third countries which have been listed in Annex II as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, at least once a year and for a period of seven years after the date of entry into force of visa liberalisation for those third countries, and thereafter whenever <u>After that period</u> the Commission <u>shall report whenever it</u> considers it to be necessary, or upon request by the European Parliament or by the Council. The report shall focus on the third countries which the Commission considers, based on concrete and reliable information, as no longer complying with certain specific requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>least once within a four-year period.</i></u>		
78a		<u><i>1a. The Commission shall report on an annual basis for a period of seven years after the date of entry into force of visa liberalisation for those third countries which have been listed as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country.</i></u>		
78b		<u><i>1b. Whenever the Commission considers it necessary, it shall report on the third countries which it considers, based on concrete and reliable information, as no longer complying with certain specific requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.</i></u>		
79	2. The Commission shall also report, whenever it considers it to be necessary, or upon request by the European Parliament or by the Council, on third countries listed in Annex II other than the ones referred to in paragraph 1 of this Article.	2. The Commission shall also report, whenever it considers it to be necessary, or upon request by the European Parliament or by the Council, on third countries listed in Annex II other than the ones referred to in paragraph 1 of this Article.	2. The Commission shall also report, whenever it considers it to be necessary, or upon request by the European Parliament or by the Council, on third countries listed in Annex II other than the ones referred to in paragraph 1 of this Article.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
80	Article 8e	Article 8e	Article 8e	
81	Implementing acts	Implementing acts	Implementing acts	
82	<p>1. Where, on the basis of the examination referred to in Article 8b(4), or the analysis referred to in Article 8c(2), and taking into account the consequences of a suspension of the exemption from the visa requirement for the overall external relations of the Union and its Member States with the third country concerned, while working in close cooperation with that third country to find alternative long-term solutions, the Commission decides that action is needed, or where a simple majority of Member States have notified the Commission of the existence of circumstances referred to in Article 8a(1), points (a), (b), (c) or (d)(i), the Commission shall adopt an implementing act temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a period of 12 months.</p>	<p>1. Where, on the basis of the examination referred to in Article 8b(4), or the analysis referred to in Article 8c(2), and taking into account the consequences of a suspension of the exemption from the visa requirement for the overall external relations of the Union and its Member States with the third country concerned, while working in close cooperation with that third country to find alternative long-term solutions, the Commission decides that action is needed, or where a simple majority of Member States have notified the Commission of the existence of circumstances referred to in Article 8a(1), points (a), (b), (c) or (d)(i)(d), the Commission shall adopt an implementing act temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a period of 12 months.</p>	<p>1. Where, on the basis of the examination referred to in Article 8b(4), or the analysis referred to in Article 8c(2), and taking into account the consequences of a suspension of the exemption from the visa requirement for the overall external relations of the Union and its Member States with the third country concerned, <u>including the political context or economic matters at stake</u>, while working in close cooperation with that third country to find alternative long-term solutions, the Commission decides that action is needed, or where a simple majority of Member States have notified the Commission of the existence of circumstances referred to in Article 8a(1), points (a), (b), (c), <u>(d), (e), (f) or (i)</u> or (d)(i), the Commission shall adopt an implementing act temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a period of 12 months.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
82a		<u><i>Notwithstanding Article 6(1), point (a), where the Commission has adopted an implementing act under this paragraph which temporarily suspends the exemption from the visa requirement for nationals of the third country concerned who hold diplomatic passports, service/official passports or special passports, the Member States shall not provide for exceptions therefrom.</i></u>		
83	The suspension shall apply to certain categories of nationals of the third country concerned, by reference to the relevant types of travel documents and, where appropriate, to additional criteria. When deciding to which categories the suspension is to apply, the Commission shall, based on the information available, include categories that are broad enough in order to efficiently contribute to remedying the circumstances that led to the suspension, while respecting the principle of proportionality and non- discrimination in line with Article 21 of the Charter of Fundamental Rights of the European Union. That	The suspension shall apply to certain categories of nationals of the third country concerned, by reference to the relevant types of travel documents and, where appropriate, to additional criteria. When deciding to which categories the suspension is to apply, the Commission shall, based on the information available, include categories that are broad enough in order to efficiently contribute to remedying the circumstances that led to the suspension, while respecting the principle of proportionality and non- discrimination in line with Article 21 of the Charter of Fundamental Rights of the European Union. That	The suspension shall apply to certain categories of nationals of the third country concerned, by reference to the relevant types of travel documents and, where appropriate, to additional criteria. When deciding to which categories the suspension is to apply, the Commission shall, based on the information available, include categories that are broad enough in order to efficiently contribute to remedying the circumstances that led to the suspension, while respecting the principle of proportionality and non- discrimination in line with Article 21 of the Charter of Fundamental Rights of the European Union. That	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	implementing act shall fix the date on which the suspension of the exemption from the visa requirement is to take effect.	implementing act shall fix the date on which the suspension of the exemption from the visa requirement is to take effect.	implementing act shall fix the date on which the suspension of the exemption from the visa requirement is to take effect.	
84	The Commission shall adopt the implementing act referred to in the first subparagraph within one month of:	The Commission shall adopt the implementing act referred to in the first subparagraph within one month of:	The Commission shall adopt the <u>submit the draft</u> implementing act referred to in the first subparagraph within one month of <u>to the Committee referred to in Article 11(1)</u>	
84a			<u>(a) within one month of:</u>	
85	(a) receiving the notification referred to in Article 8b;	(a) receiving the notification referred to in Article 8b;	(a) <u>(i)</u> receiving the notification referred to in Article 8b <u>(1)</u> ;	
86	(b) informing the European Parliament and the Council of its analysis referred to in Article 8c(2);	(b) informing the European Parliament and the Council of its analysis referred to in Article 8c(2);	(b) <u>(ii)</u> informing the European Parliament and the Council of its analysis referred to in Article 8c(2); <u>or</u>	
87	(c) receiving the notification from a simple majority of Member States of the existence of grounds referred to in Article 8a(1), points (a), (b), (c) or (d)(i).	(c) receiving the notification from a simple majority of Member States of the existence of grounds referred to in Article 8a(1), points (a), (b), (c) or (d)(i) <u>(d)</u> .	(c) <u>(iii)</u> receiving the notification from a simple majority of Member States of the existence of grounds referred to in Article 8a(1), points (a), (b), (c), <u>(d), (e), (f) or (i);</u> or (d)(i).	
87a			<u>(b) within two months of receiving the notification by a Member State referred to in Article 8b(1a).</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
88	The implementing acts referred to in the first subparagraph shall be adopted in accordance with the examination procedure referred to in Article 11(2).	The implementing acts referred to in the first subparagraph shall be adopted in accordance with the examination procedure referred to in Article 11(2).	The implementing acts referred to in the first subparagraph shall be adopted in accordance with the examination procedure referred to in Article 11(2).	
89	2. On duly justified imperative grounds of urgency, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 11(4), temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a period of 12 months.	2. On duly justified imperative grounds of urgency, <u>where a significant risk or imminent threat to public policy or internal security of a Member State as set out in Article 8a(1), point (d), requires immediate action</u> , the Commission shall <u>may</u> adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 11(4), temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a <u>maximum</u> period of 12 months.	2. On <u>By derogation to paragraph 1, Article 8b and Article 8c(2), the following provision applies in</u> duly justified imperative grounds of cases where the urgency, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 11(4), temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a period of 12 months <u>matter requires it.</u>	
89a			<u>Where the Commission has concrete and reliable information on the existence of any of the grounds referred to in Article 8a(1) and decides that swift action is needed, the Commission shall adopt an implementing act temporarily suspending the exemption from the visa requirement for all or certain</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<u>categories of nationals of the third country concerned for a period of 12 months. That implementing act shall fix the date on which the suspension of the exemption from the visa requirement is to take effect.</u>	
89b			<u>The implementing acts referred to in the second subparagraph shall be adopted in accordance with the examination procedure referred to in Article 11(2). The chair of the committee provided for in Article 11(1) shall make use of the exceptions provided for in Article 3(3) and (5), second subparagraph of Regulation (EU) 182/2011.</u>	
89c		<u>2a. In cases as referred to in the first subparagraph, the Commission shall comprehensively and consistently inform the European Parliament and the Council throughout the procedure.</u>		
90	3. During the period of suspension, the Commission shall establish an enhanced dialogue with the third country concerned with a view to remedying the circumstances in question.	3. During the period of suspension, the Commission shall establish an enhanced dialogue with the third country concerned with a view to remedying the circumstances in question <u>and</u>	3. During the period of suspension, the Commission shall establish an enhanced dialogue with the third country concerned with a view to remedying the circumstances in question.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<i><u>shall regularly report to the European Parliament and to the Council on the progress and outcome of the dialogue and on the effectiveness of the suspension.</u></i>		
91	4. Where the circumstances that led to the temporary suspension of the exemption from the visa requirement are remedied before the end of the period of validity of the implementing acts adopted pursuant to paragraphs 1 and 2, the Commission shall adopt an implementing act to lift the temporary suspension in accordance with the examination procedure referred to in Article 11(2).	4. Where the circumstances that led to the temporary suspension of the exemption from the visa requirement are remedied before the end of the period of validity of the implementing acts adopted pursuant to paragraphs 1 and 2, the Commission shall adopt an implementing act to lift the temporary suspension in accordance with the examination procedure referred to in Article 11(2).	4. Where the circumstances that led to the temporary suspension of the exemption from the visa requirement are remedied before the end of the period of validity of the implementing acts adopted pursuant to paragraphs 1 and 2, the Commission shall adopt an implementing act to lift the temporary suspension in accordance with the examination procedure referred to in Article 11(2).	
92	Article 8f	Article 8f	Article 8f	
93	Delegated acts	Delegated acts	Delegated acts	
94	1. Where the grounds referred to in Article 8a persist, the Commission shall adopt, at the latest two months before the expiry of the 12-month period referred to in Article 8e(1), a delegated act in accordance with Article 10, amending Annex II to temporarily suspend the	1. Where the grounds referred to in Article 8a persist, the Commission shall adopt, at the latest two months before the expiry of the 12-month period referred to in Article 8e(1), a delegated act in accordance with Article 10, amending Annex II to temporarily suspend the	1. Where the grounds referred to in Article 8a persist, the Commission shall adopt, at the latest two months before the expiry of the 12-month period referred to in Article 8e(1) <i><u>and (2)</u></i> , a delegated act in accordance with Article 10, amending Annex II to temporarily suspend the	

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	application of that Annex for a period of 24 months for all nationals of the third country concerned. That amendment shall be made by inserting a footnote next to the name of the third country in question, indicating that the exemption from the visa requirement is suspended with regard to that third country and specifying the period of that suspension. The delegated act shall take effect from the date of expiry of the implementing act referred to in Article 8e(1).	application of that Annex for a period of 24 months for all nationals of the third country concerned. That amendment shall be made by inserting a footnote next to the name of the third country in question, indicating that the exemption from the visa requirement is suspended with regard to that third country and specifying the period of that suspension. The delegated act shall take effect from the date of expiry of the implementing act referred to in Article 8e(1).	application of that Annex for a period of 24 months for all nationals of the third country concerned. That amendment shall be made by inserting a footnote next to the name of the third country in question, indicating that the exemption from the visa requirement is suspended with regard to that third country and specifying the period of that suspension. The delegated act shall take effect from the date of expiry of the implementing act referred to in Article 8e(1) <u>and (2).</u>	
94a		<u>1a. The delegated act referred to in paragraph 1 shall be accompanied by a report to the European Parliament and to the Council detailing the outcome of the enhanced dialogue with the third country concerned, the measures adopted by that third country and by the Member States concerned, and the reasons for considering that the circumstances leading to the temporary suspension have not been remedied.</u>		
94b		<u>1b. Notwithstanding Article 6(1), point (a), where the</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<i><u>Commission has adopted a delegated act under paragraph 1 of this Article the Member States shall not provide for exemptions as regards nationals of the third country concerned who hold diplomatic passports, service/official passports or special passports.</u></i>		
95	2. Without prejudice to the application of Article 6, during the period of suspension, the nationals of the third country concerned shall be required to be in possession of a visa when crossing the external borders of the Member States.	2. Without prejudice to the application of Article 6 <u>and paragraph 1b of this Article</u> , during the period of suspension, the nationals of the third country concerned shall be required to be in possession of a visa when crossing the external borders of the Member States.	2. Without prejudice to the application of Article 6, during the period of suspension, the nationals of the third country concerned shall be required to be in possession of a visa when crossing the external borders of the Member States.	
96	3. A Member State which, in accordance with Article 6, provides for new exemptions from the visa requirement for a category of nationals of the third country covered by the act suspending the exemption from the visa requirement shall communicate those measures in accordance with Article 12.	3. A Member State which, in accordance with Article 66(1) , <u>points (b) to (f), Article 6(2) or Article 6(3)</u> , provides for new exemptions from the visa requirement for a category of nationals of the third country covered by the act suspending the exemption from the visa requirement shall communicate those measures in accordance with Article 12.	3. A Member State which, in accordance with Article 6, provides for new exemptions from the visa requirement for a category of nationals of the third country covered by the act suspending the exemption from the visa requirement shall communicate those measures in accordance with Article 12.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
97	4. Before the end of the period of validity of the delegated act adopted pursuant to paragraph 1 of this Article, the Commission shall submit a report to the European Parliament and to the Council.	4. Before the end of the period of validity of the delegated act adopted pursuant to paragraph 1 of this Article, the Commission shall submit a report to the European Parliament and to the Council <u>on the temporary application of the visa suspension, on the dialogue between the Commission and the third country concerned and on the measures taken to remedy the circumstances having led to the temporary suspension of the visa exemption.</u>	4. Before the end of the period of validity of the delegated act adopted pursuant to paragraph 1 of this Article, the Commission shall submit a report to the European Parliament and to the Council.	
98	The report may be accompanied by a legislative proposal to amend this Regulation in order to transfer the reference to the third country concerned from Annex II to Annex I. In that case, the Commission shall adopt a further delegated act in accordance with Article 10, amending Annex II to extend the period of suspension of the exemption from the visa requirement from the end of the period of validity of the delegated act adopted pursuant to paragraph 1 of this Article until the entry into force of the amendment transferring the third country concerned to Annex I. The	The report may be accompanied by a legislative proposal to amend this Regulation in order to transfer the reference to the third country concerned from Annex II to Annex I. In that case, the Commission shall adopt a further delegated act in accordance with Article 10, amending Annex II to extend the period of suspension of the exemption from the visa requirement from the end of the period of validity of <u>set by</u> the delegated act adopted pursuant to paragraph 1 of this Article <u>by a period of six months or</u> until the entry into force of the amendment transferring the third country concerned to Annex I, <u>whichever</u>	The report may be accompanied by a legislative proposal to amend this Regulation in order to transfer the reference to the third country concerned from Annex II to Annex I. In that case, the Commission shall adopt a further delegated act in accordance with Article 10, amending Annex II to extend the period of suspension of the exemption from the visa requirement from the end of the period of validity of the delegated act adopted pursuant to paragraph 1 of this Article until the entry into force of the amendment transferring the third country concerned to Annex I. The	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	footnote shall be amended accordingly.	<u>comes first</u> . The footnote shall be amended accordingly.	footnote shall be amended accordingly.	
99	5. Where the circumstances that led to the temporary suspension of the exemption from the visa requirement are remedied before the end of the period of validity of the delegated acts adopted pursuant to paragraphs 1 and 4 of this Article, the Commission shall adopt a delegated act in accordance with Article 10 amending Annex II to lift the temporary suspension. ”	5. Where the circumstances that led to the temporary suspension of the exemption from the visa requirement are remedied before the end of the period of validity of the delegated acts adopted pursuant to paragraphs 1 and 4 of this Article, the Commission shall adopt a delegated act in accordance with Article 10 amending Annex II to lift the temporary suspension. ”	5. Where the circumstances that led to the temporary suspension of the exemption from the visa requirement are remedied before the end of the period of validity of the delegated acts adopted pursuant to paragraphs 1 and 4 of this Article, the Commission shall adopt a delegated act in accordance with Article 10 amending Annex II to lift the temporary suspension. ”	
100	(3) Article 10 is amended as follows:	(3) Article 10 is amended as follows:	(3) Article 10 is amended as follows:	
101	(a) in paragraph 3, ‘point (b) of Article 8(6)’ is replaced by ‘Article 8f’;	(a) in paragraph 3, ‘point (b) of Article 8(6)’ is replaced by ‘Article 8f’;	(a) in paragraph 3, ‘point (b) of Article 8(6)’ is replaced by ‘Article 8f’;	
102	(b) in paragraph 4, ‘point (b) of Article 8(6)’ is replaced by ‘Article 8f’;	(b) in paragraph 4, ‘point (b) of Article 8(6)’ is replaced by ‘Article 8f’;	(b) in paragraph 4, ‘point (b) of Article 8(6)’ is replaced by ‘Article 8f’;	
103	(c) in paragraph 8, ‘point (b) of Article 8(6)’ is replaced by ‘Article 8f’.	(c) in paragraph 8, ‘point (b) of Article 8(6)’ is replaced by ‘Article 8f’.	(c) in paragraph 8, ‘point (b) of Article 8(6)’ is replaced by ‘Article 8f’.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
104	(4) in Article 11, the following paragraph 4 is added:	(4) in Article 11, the following paragraph 4 is added:	<i>deleted</i>	
105	“ 4. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply. ”	“ 4. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply. ”	<i>deleted</i>	
105a		<u>8fa. Article 8fa</u> <u>Suspension of the possibility to provide for exceptions from the visa requirement as regards countries listed in Annex I</u> <u>1. In the event of a deterioration in the Union's external relations of the kind referred to in Article 8a(1), point (ga), of this Regulation with a third country listed in Annex I to this Regulation], and provided that that deterioration is of a significant and abrupt nature], or following the adoption of an implementing decision pursuant to Article 25a(5) of Regulation (EC) No 810/2009, the Commission may adopt an implementing act to suspend any</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>exceptions from the visa requirement provided for by Member States pursuant to Article 6(1) of this Regulation as regards holders of diplomatic passports, service/official passports or special passports.</u></p> <p><u>2. The Commission shall continuously assess whether it is possible to achieve a substantial and sustained improvement in the Union's external relations with the third country concerned or in the level of cooperation of the third country concerned as regards the readmission of irregular migrants. On the basis of that assessment, the Commission may adopt an implementing act to repeal or amend the implementing act referred to in the first paragraph.</u></p> <p><u>3. The implementing acts referred in paragraphs 1 and 2 of this Article shall be adopted in accordance with the examination procedure referred to in Article 11(2).</u></p>		
106	Article 2	Article 2	Article 2	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
107	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
108	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.	
109	Done at Brussels,	Done at Brussels,	Done at Brussels,	
110	For the European Parliament	For the European Parliament	For the European Parliament	
111	The President	The President	The President	
112	For the Council	For the Council	For the Council	
113	The President	The President	The President	