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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND  
THE COUNCIL**

**SEVENTH REPORT UNDER THE VISA SUSPENSION MECHANISM**

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

## INTRODUCTION

Visa liberalisation has been an important part of the EU's toolbox for cooperation on migration, security, and justice with third countries. It facilitates mobility and people-to-people contacts. It can boost the travel and tourism sector and promotes cultural and academic exchanges. It can also foster diplomatic relations and international cooperation, ideally leading to increased political interactions in different areas ranging from trade and economic cooperation, security, innovation and technology.

At the same time, the Commission's monitoring of the EU's visa-free regimes has shown that **visa-free travel can also be the source of significant migration and security challenges, which need to be addressed**. This report continues to pay specific attention to visa policy alignment, investor citizenship schemes, readmission cooperation, and unfounded asylum applications. The main purpose of the visa exemptions that the EU has granted to third countries is to facilitate travel by ensuring visa-free entry and short stays in the Schengen area for a maximum period of 90 days in any 180-day period. People representing a security risk for the EU and its Member States should not be allowed to travel visa-free to the Schengen area, and people seeking international protection or to settle for a longer period in the EU should use the applicable schemes and pathways.

In October 2023, the Commission proposed a **revision of the visa suspension mechanism**<sup>1</sup> to better address challenges linked to visa-free schemes and any possible abuses of visa-free travel by making the mechanism easier to trigger and increasing its deterrent effect. The Commission encourages the European Parliament and the Council to swiftly conclude negotiations on the proposal and ensure its adoption.

### *Scope of the Report – a new strategic and global approach*

The Commission's continuous monitoring of the EU's visa-free regimes is a key task for the good functioning of the EU visa policy and the overall security of the Schengen area. Article 8(4) of Regulation (EU) 2018/1806 (the 'Visa Regulation')<sup>2</sup> requires the Commission to ensure an appropriate monitoring of the continuous fulfilment of the visa exemption requirements by those countries whose nationals obtained visa-free access to the Schengen area following the successful completion of a visa liberalisation dialogue, and to report regularly to the European Parliament and to the Council. To this end, **since 2017 the Commission has adopted six reports under the Visa Suspension Mechanism**<sup>3</sup>, covering the **visa-free partners in the Western Balkans** (Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia) **and in the Eastern Partnership region** (Georgia, the Republic of Moldova – referred to below as "Moldova" –, and Ukraine).

Following-up on a Communication of May 2023<sup>4</sup>, the sixth report took a broader approach, so as to ensure that **monitoring and reporting is more comprehensive and strategic, therefore going beyond the EU's neighbourhood and covering all visa-free third countries presenting specific challenges** that, if not addressed, may lead to trigger the suspension mechanism. The Commission

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<sup>1</sup> 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, COM/2023/642 final.

<sup>2</sup> 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.

<sup>3</sup> COM(2017) 815 final (first report); COM(2018) 856 final (second report); COM(2020) 325 final (third report); COM(2021) 602 final (fourth report), COM/2022/715 final/2 (fifth report), COM/2023/730 final (sixth report).

<sup>4</sup> Communication from the Commission to the European Parliament and the Council on the monitoring of the EU's visa free regimes, COM/2023/297 final.

therefore expanded the geographic scope for the first time by reporting also on **six visa-free third countries that operate citizenship-by-investment schemes**, namely Antigua and Barbuda, Dominica, Grenada, Saint Kitts and Nevis, Saint Lucia, and Vanuatu<sup>5</sup>.

### *The EU's neighbourhood*

This seventh report, as required by Article 8(4) of the Visa Regulation, continues to include a full assessment of the continuous compliance with the visa liberalisation requirements for **Georgia** and **Ukraine**, as they completed their respective visa liberalisation dialogues less than seven years ago. Moreover, following the successful conclusion of the EU-Kosovo visa liberalisation dialogue and the application of the visa exemption for Kosovo as of 1 January 2024<sup>6</sup>, this report also includes a first prospective analysis on **Kosovo's** continuous compliance with the visa liberalisation requirements.

As regards the countries that completed a visa liberalisation dialogue more than seven years ago<sup>7</sup> (**Albania, Bosnia and Herzegovina, Moldova, Montenegro, North Macedonia, and Serbia**), the report continues to flag specific challenges deriving from visa-free travel and/or representing specific irregular migration or security risks for the EU, such as visa policy alignment, investor citizenship schemes, readmission cooperation, or unfounded asylum applications.

For all enlargement partners, issues related to benchmarks addressed through the completed visa liberalisation dialogues are assessed as part of the enlargement process, under Chapter 23, Judiciary and Fundamental Rights, and Chapter 24, Justice, Freedom and Security, and are reported on in-depth in the Commission's annual enlargement reports. As of 2024, four enlargement countries (Albania, Montenegro, North Macedonia and Serbia) have also been included in the Commission Rule of Law Report.

As part of their Reform Agenda under the Growth Plan for the Western Balkans, Western Balkan partners have committed to make reforms on the "fundamentals" of the accession process, which include concrete commitments on the fight against organised crime, the fight against corruption and visa policy alignment.

With regard to the **Western Balkans**, the report builds on the ongoing implementation of the EU Action Plan to address migration along the route presented by the Commission on 5 December 2022<sup>8</sup>. The Action Plan has responded, among other challenges, to the surge of irregular migration to the EU via the Western Balkan route in 2022. These increased crossings of the external borders of Member States from the region were partly due to secondary movements from third-country nationals who had arrived visa-free to the Western Balkans, travelling onwards to the EU. The joint implementation of the Action Plan between the EU and the region contributed to the decrease of migratory pressure by

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<sup>5</sup> This report does not cover Vanuatu, as the Commission's final assessment concerning the security risks deriving from Vanuatu's investor citizenship schemes was presented on 31 May 2024 in the Report from the Commission to the European Parliament and the Council on the suspension of the visa exemption for nationals of Vanuatu, COM/2024/366 final.

<sup>6</sup> Regulation (EU) 2023/850 of the European Parliament and of the Council of 19 April 2023 amending Regulation (EU) 2018/1806 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 (Kosovo (This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.)) (OJ L 110, 25.4.2023, p. 1–4).

<sup>7</sup> Article 8(4) of Regulation (EU) 2018/1806 only requires the Commission to report for a period of seven years after the date of entry into force of visa liberalisation for those third countries; thereafter, the Commission may continue to report whenever it considers it to be necessary, or upon request by the European Parliament or by the Council.

<sup>8</sup> [https://home-affairs.ec.europa.eu/system/files/2022-12/Western%20Balkans\\_en.pdf](https://home-affairs.ec.europa.eu/system/files/2022-12/Western%20Balkans_en.pdf)

almost one third on the Western Balkan route in 2023 compared to 2022 and by a further 79% decrease according to preliminary data in the first nine months of 2024 compared to the same period in 2023. This joint implementation also contributed to further strengthen cooperation between the EU and Western Balkan partners on migration management. The Action Plan covers border management, asylum and reception capacities, fighting migrant smuggling, readmission cooperation and returns as well as visa policy alignment.

Overall, a good pace of delivery has been maintained in all these policy areas, thanks to enhanced engagement and outreach to all Western Balkan partners at all levels. However, work needs to continue. Irregular migration remains a challenge for the Western Balkan partners. Visa requirements have been reintroduced in the region – in late 2022 and early 2023 – for some key nationalities behind the increase in irregular arrivals in 2022. However, ensuring further visa policy alignment and reinforcing controls on visa-free arrivals in the region remains necessary. Combating migrant smuggling and trafficking in human beings as well as ensuring effective returns remain key priorities. The Commission has stepped-up its financial support with total funding for migration-related activities in the region under the Instrument for pre-accession (IPA III) amounting to EUR 351.9 million (2021-2024). This includes regional programmes ‘EU Support to Strengthen the Fight against Migrant Smuggling and Trafficking in Human Beings in the Western Balkans’ (EUR 36 million), ‘EU Regional Support to Protection-Sensitive Migration Management Systems in the Western Balkans – PHASE III’ (EUR 19.2 million), and ‘EU Regional Support to Border Security in the Western Balkans’ (EUR 7 million).

The report draws upon contributions from the partners covered, the European External Action Service and the EU delegations, the relevant EU justice and home affairs agencies<sup>9</sup> and Member States<sup>10</sup>. These contributions have informed the relevant assessments contained in the report. This seventh report assesses actions taken by the concerned partners in 2023, with updates for 2024, where deemed to have a significant impact on this year’s recommendations. It also reports on operational cooperation with the EU and with Member States<sup>11</sup>, and it includes an overview of migration trends<sup>12</sup> reflecting Eurostat data for the 2023 statistical year, including changes compared with 2022.

### *Latin America and the Caribbean*

As done in the sixth report, and already following the new approach set out in the legislative proposal on the revision of the suspension mechanism<sup>13</sup>, this report also covers **other geographical areas beyond the EU’s neighbourhood**, focusing on visa-free countries where specific issues have arisen and where further cooperation may be needed to address specific migration and/or security challenges that could be assessed under the visa suspension mechanism. In this respect, this report continues to

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<sup>9</sup> The European Union Agency for Asylum (EUAA), the European Border and Coast Guard Agency (Frontex), the European Union Agency for Criminal Justice Cooperation (Eurojust), and the European Union Agency for Law Enforcement Cooperation (Europol).

<sup>10</sup> Twenty Member States provided contributions on relevant examples of cooperation with the countries in question, in the areas of migration and security.

<sup>11</sup> For this report, the term ‘Member States’ refers to Member States applying Regulation (EU) 2018/1806 (‘the Visa Regulation’), i.e. all EU Member States (except Ireland) and Schengen Associated Countries.

<sup>12</sup> While the visa liberalisation benchmarks relating to migration are limited to migration policies of the third countries concerned, the section on migration trends reflects irregular migration to Member States, refusals of entry issued by Member States, and applications for international protection lodged in Member States by nationals of the countries covered in the report.

<sup>13</sup> Article 8d(2) of the proposal.

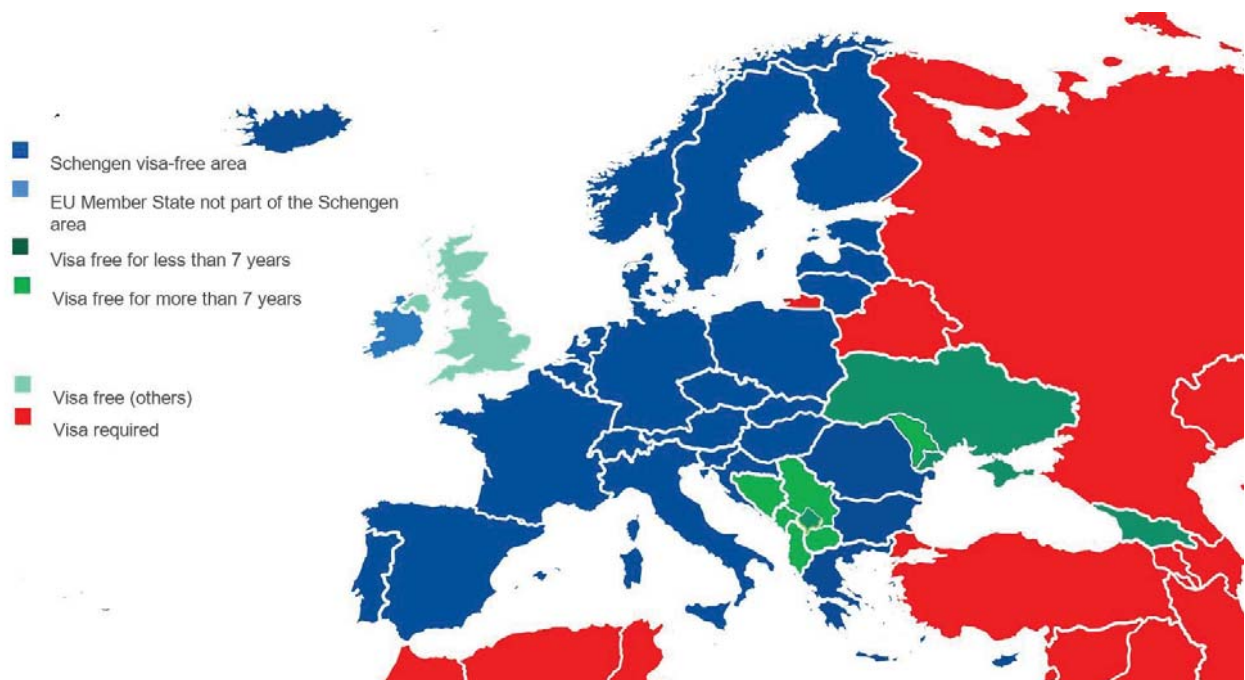
assess the visa-free countries that operate investor citizenship schemes in the **Eastern Caribbean** and presents an assessment of the visa-free countries in **Latin America**.

As stated in the 2023 Joint Communication on a New Agenda for Relations between the EU and Latin America and the Caribbean<sup>14</sup>, **the EU and Latin America and the Caribbean are natural partners, united by unique historical and cultural links, deep economic and social ties and a joint commitment to peace, democracy, fundamental rights and multilateralism**. People are at the centre of this partnership: mobility and people-to-people contacts are key elements to strengthen those links. At the same time, the Commission's monitoring of the EU's visa-free regimes with Latin American and Caribbean partners has shown some specific **migration and security challenges**. These challenges derive in particular from the operation of investor citizenship schemes by five countries in the Eastern Caribbean, and by the increasing number of unfounded asylum applications lodged in the EU by nationals of some Latin American countries. The two last sections of this report present the Commission assessment of these challenges and recommendations on how to address them.

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<sup>14</sup> JOIN(2023) 17 final.

## I. THE EU'S NEIGHBOURHOOD



### 1. VISA-FREE FOR LESS THAN 7 YEARS

#### GEORGIA

##### 1. Visa policy alignment

Georgia has a visa-free regime with 25 countries that are on the EU list of visa-required countries<sup>15</sup>: Armenia, Azerbaijan, Bahrain, Belarus, Belize, Botswana, China (visa waiver agreement signed in April 2024), Dominican Republic, Ecuador, Iran, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Oman, Qatar, Russia, Saudi Arabia, South Africa, Tajikistan, Thailand, Türkiye, Turkmenistan, and Uzbekistan.

Georgia made no progress towards further visa policy alignment; on the contrary, with the signature of the visa waiver agreement with China in April 2024 the divergence with the EU visa policy increased. Georgia claims that, since it does not share any direct land border with the EU, its lack of visa policy alignment does not pose a risk for the EU in terms of irregular migration or security. However, the Commission recalls that visa policy alignment is a key objective for all countries in the EU's neighbourhood and with EU membership goals. Therefore, the Commission expects Georgia to make progress on visa policy alignment.

##### 2. Document security, including biometrics

Georgia has been issuing biometric passports since 2010. Non-biometric passports will be fully phased out by 1 January 2025, when the last ones currently in circulation will expire<sup>16</sup>. As part of cooperation with Interpol, Georgia exchanges information on lost and stolen passports.

In December 2023, a law was passed mandating the withdrawal by 1 July 2024 of non-electronic ID cards issued before 28 July 2011 and their replacement with electronic ID cards.

<sup>15</sup> Annex I to Regulation (EU) 2018/1806.

<sup>16</sup> On 1 January 2024, the number of remaining valid non-biometric passports was 2012.



### **3. Integrated border management, migration management, asylum**

In March 2023, Georgia adopted the Integrated Border Management Strategy for 2023-2027 and, in August 2023, adopted the Action Plan of Integrated Border Management Strategy for 2023-2027. Georgia continued to invest in the development of border security, amongst others, by creating a Mountain Rapid Response Unit in 2023. A cooperation plan on border surveillance was launched with one EU Member State and with another EU Member State a technical agreement on naval cooperation was signed involving Georgia's Coast Guard.

Georgia has a track record of structured cooperation with Frontex. Frontex observers are based at five border crossing points (Tbilisi, Kutaisi airports, Sarpi land border crossing and seasonally at Batumi airport and seaport). In 2023, a total of 28 Frontex officers were deployed to Georgia. Georgian police officers were deployed to 12 Member States' airports (a total of 24 officers in 2023). The main purpose of this cooperation is to prevent the abuse of visa-free travel by Georgian citizens, including by lodging unfounded asylum applications (see below).

Georgia is a member of the Eastern Partnership Risk Analysis Network, a Frontex-led regional platform for information exchange and intelligence-sharing. The Ministry of Internal Affairs Academy of Georgia has been given the Frontex Partnership Academy Status since 2019. Georgia participated in the Joint Operation Coordination Points Air, Land and Sea 2023 through exchange of best practices and visits/deployment of Frontex border management experts. Cooperation with Frontex included also training programmes (e.g. Tailored Briefings on Document Fraud and Impostors), study visits, expert advice and exchanges under the programme Staff Exchange 2023.

Bilateral/multilateral cooperation with Member States on border management/migration continued, including high-level contacts/visits, deployment of Member States liaison officers in Georgia, specialised training and expert advice with an emphasis on detection of forged documents and fight against organised crime networks specialising in migrant smuggling.

Georgia implemented the Sixth Visa Suspension Mechanism Report's recommendation and joined the European Multi-disciplinary Platform Against Criminal Threats (EMPACT) Operational Action Plan of Migrant Smuggling for the years 2024-2025. In 2023, it participated in six Operational Action Plans (OAPs) and 77 Operational Actions (OPs). Cooperation within the EMPACT scheme also resulted in the implementation of the "Low Value Grant (LVG)" project focusing on the fight against Georgian organised crime groups in the EU.

On readmission and return, several EU Member States and Frontex pointed to close cooperation with the Georgian authorities. Georgia regularly accepted return operations both by charter and scheduled flights. Georgia also made their escorts available, when requested, for organisation of collecting return operations. In addition, the Georgian Ministry of Foreign Affairs and the Ministry of Internal Affairs extended their cooperation with Frontex on identification of returnees not holding travel documents by training the Standing Corps and Member States on the use of the Georgian Readmission Case Management System for electronic submission of requests for their identification.

Georgia continued its efforts to address the issue of unfounded asylum applications filed by its citizens in EU Member States. Based on 2021 amendments to the Law on rules for Georgian citizens on leaving and entering Georgia, Georgian authorities continued to pursue 'exit-control checks' at Georgian border crossing points. From 1 January 2021 to 1 April 2024, a total of 7 910 citizens of Georgia who intended to travel to the EU were stopped at the border. The Georgian authorities continued to address irregular migration with criminal prosecution of persons and groups involved in migrant smuggling,



including those involved in providing false information for asylum requests in the EU. Three people were convicted in 2023 (11 in 2022).

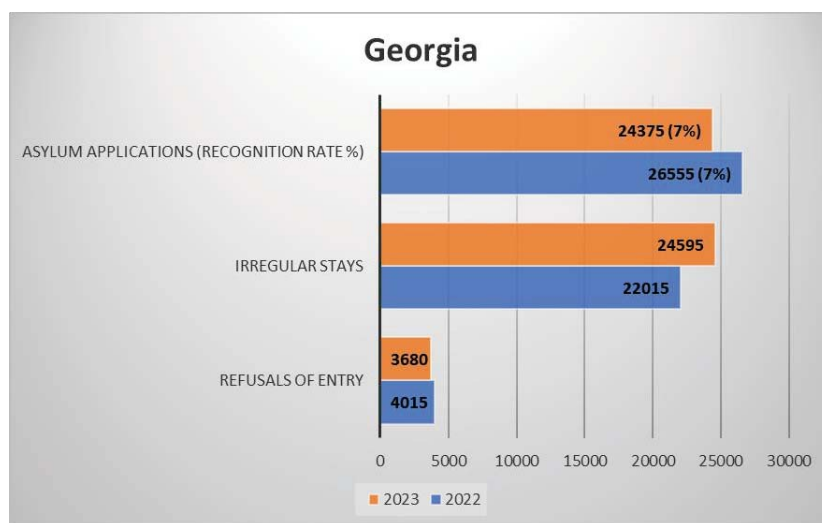
Georgia also cooperated with the IOM, in partnership with the UNHCR, on the project “Effective Migration Governance for Sustainable Return and Reintegration of Georgian Citizens” to support a safe, orderly and sustainable return and reintegration of Georgian citizens, and with the IOM/WHO on health-driven migration from Georgia and unfounded asylum applications in the Schengen area (under the “Georgia Cares” project).

#### **4. Monitoring trends in irregular migration, applications for international protection, returns and readmission**

In 2023, the number of applications for international protection by nationals of Georgia in Member States decreased by 8% compared to 2022, with 24 375 applications lodged in 2023 (26 555 in 2022). The recognition rate<sup>17</sup> of 7% in 2023 remained stable compared to the previous year.

In 2023, there were ten irregular border crossings of Georgian nationals to EU Member States, compared to 20 in 2022. In 2023, the number of Georgian nationals found to be irregularly staying in Member States rose by 12%, with 24 595 people in 2023 against 22 005 in 2022. The number of refusals of entry issued to Georgian nationals decreased by 8%, from 4 015 in 2022 to 3 680 in 2023.

In 2023, the number of return decisions issued to nationals of Georgia continued to rise with 20 240 orders issued in 2023 compared with 17 415 in 2022 which is an increase of 16%. The same trend was present with regard to the number of people returned (10 555 in 2023 compared with 7 725 in 2022, a rise of 37%). The return rate slightly improved, from 44% in 2022 to 52% in 2023.



Source: Eurostat

#### **5. Public order and security**

Georgia continued its cooperation with Europol, maintaining a Liaison Officer at Europol HQ and participates in seven Europol analytical projects. Between June 2023 and March 2024, 1 124 pieces of operational information related to more than 13 161 persons were shared with Europol members and

<sup>17</sup> For the purpose of this report, the recognition rate is calculated as the share of positive decisions at first instance (including refugee status, subsidiary protection status, as well as national humanitarian status) in the total number of decisions at first instance. For a definition, see [https://home-affairs.ec.europa.eu/pages/glossary/recognition-rate-procedures-international-protection\\_en](https://home-affairs.ec.europa.eu/pages/glossary/recognition-rate-procedures-international-protection_en)

partner countries through the Secure Information Exchange Network Application (SIENA) channel. In the framework of cooperation with CEPOL, Georgia benefited from various specialised training programmes under the EU-funded project "Training and operational partnership against organized crime" (TOPCOP). Georgia continued its cooperation with Eurojust, participating in Joint Investigation Teams.

Georgia continued to implement the National Strategy for Combating Organised Crime for 2021-2024 with a focus on fight against drug trafficking and cybercrime. Following Russia's war of aggression against Ukraine, preventing trafficking and illegal circulation of weapons and munition was addressed with legal amendments. Georgia continued active participation in working groups and projects as a member of Interpol. Two EU Member States offered training to Georgian law enforcement officers on detecting forged documents and identifying victims of online sexual exploitation.

In February 2023, Georgia adopted the second National Drug Strategy for 2023-2030 (directly inspired by the EU Drug Strategy for 2021-2025) and its respective Action Plan for 2023-2024. Georgia continued its cooperation with the European Union Drugs Agency (EUDA) based on a 2022 working arrangement as well as in the context of the EU4MD II project.

Georgia continued to implement the national counterterrorism strategy 2022-2026 and its corresponding action plan. In 2023, twelve Georgian citizens and three third-country nationals were arrested on charges of belonging to or supporting a terrorist organisation. In 2023, Georgia joined the UN Countering Terrorist Travel programme 'goTravel'. Georgia continued also to apply the national strategy on the Prevention, Detection and Suppression of Money Laundering, Terrorism Financing and Proliferation of Weapons of Mass Destruction (2023-2026) and its action plan. In 2023, Georgia expanded its cooperation with Europol on counter-terrorism, joining the agency's Counter Terrorism Joint Liaison Team (CT JLT) and participating in numerous counter-terrorism analysis projects.

The Sixth Visa Suspension Mechanism Report recommended that Georgia adopts a new anti-corruption strategy and action plan, ensuring adequate resources for their implementation and paying special attention to the investigation, prosecution, and adjudication of high-level corruption cases. Georgia has not yet developed a new national anti-corruption strategy or an action plan.

The Sixth Visa Suspension Mechanism Report stipulated that Georgia should set up an Asset Recovery Office and Asset Management Office and step up its asset recovery efforts. Despite Georgia's cooperation with EU Asset Recovery Offices, a recommendation to set up an Asset Recovery Office remains to be addressed. There is also no dedicated entity specifically tasked with managing recovered assets. Seized assets are managed by the National Agency of State Property.

The Sixth Visa Suspension Mechanism Report recommended that Georgia ensures that legislation on the Anti-Corruption Bureau, the Special Investigation Service and the Personal Data Protection Service addresses recommendations from the Venice Commission. The amendments to the Law on Anti-Corruption Bureau adopted in May 2024, fail to address key Venice Commission recommendations, particularly those pertaining to the Anti-Corruption Bureau's effective independence, political neutrality and functions.

Georgia participates in the Group of States against Corruption (GRECO). Following the recommendations of GRECO, in 2023 Georgia amended the Law on the Prosecution Service, extending the scope of asset declaration regime to all prosecutors. The GRECO evaluation report on Georgia from July 2024 includes recommendations regarding the strategic framework, integrity checks and transparency.

## 6. External relations and fundamental rights

In the reporting period, Georgia adopted legislation whose application undermines fundamental rights. The adoption of the Law ‘on transparency of foreign influence’ in May 2024, and the adoption of the legislative package on ‘family values and protection of minors’ in September 2024 undermine the overall legal framework for upholding fundamental rights. Both initiatives infringe upon human rights and fundamental freedoms, in particular the rights to freedom of association, expression, and privacy. The Law on transparency of foreign influence was adopted in May 2024 despite a Venice Commission opinion<sup>18</sup> and the EU’s reiterated calls recommending repealing the law. The law undermines the freedom of association and expression, the right to privacy, the right to participate in public affairs as well as the prohibition of discrimination. Cumbersome reporting requirements and extensive powers given to the Ministry of Justice in controlling civil society and media organisations increase the risk of selective and arbitrary application.

The **European Council** underlined in its conclusions of 27 June 2024 that the adopted law ‘on transparency of foreign influence’ represents backsliding on at least three out of the nine steps set out in the Commission’s recommendation for candidate status (on disinformation, on polarisation, on fundamental rights and involvement of Civil Society Organisations). The **European Council** concluded that the Georgian government’s course of action jeopardises Georgia’s EU path, de facto leading to a halt of the accession process.

On 17 September 2024, the Parliament adopted a legislative package consisting of the ‘Law on family values and protection of minors’ and eighteen amendments to existing laws, without prior public consultations and a thorough analysis of the compliance with European and international standards. The legislative package on family values and protection of minors, signed into law on 3 October, undermines the fundamental rights of Georgian people and increases stigmatisation and discrimination. As a result of the legislative activities and the continued prevalence of homophobic hate speech, LGBTIQ people in Georgia are facing an increasingly hostile and stigmatising atmosphere.

The 2024-2026 action plan for the implementation of the human rights strategy was adopted following a limited consultation process and does not include provisions concerning LGBTIQ people and the protection of privacy. The action plan partially addresses freedom of religion or belief. Implementation of the action plan has not yet begun, and monitoring of implementation has not been clearly defined. Significant gaps in the strategic framework as regards the protection of minority rights including representation of minorities remain to be addressed.

The **European Council** conclusions of 17 October 2024 reaffirmed that Georgia’s accession process is halted and called on the Georgian authorities to adopt democratic, comprehensive and sustainable reforms, in line with the core principles of European integration.

The Commission will closely monitor the implementation of the Law on ‘transparency of foreign influence’ and the legislative package on family values and protection of minors given that compliance with fundamental rights, including effective implementation and policies on anti-discrimination, are specific requirements based on which Georgia was granted visa liberalisation.

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<sup>18</sup> [CDL-PI\(2023\) \(coe.int\)](#): Urgent opinion on the Law on Transparency of Foreign influence issued by the Venice Commission on 21 May 2024

Following the recommendation on data protection of the Fifth Visa Suspension Mechanism Report, a new Law on Personal Data Protection was adopted in June 2023 and amended in May 2024. Key Venice Commission recommendations regarding institutional independence, impartiality and powers of the Personal Data Protection Service remain outstanding.

## **7. Recommendations**

Taking into account recent developments in Georgia, there are ongoing reflections on the possible activation of the visa suspension mechanism in relation to certain categories of persons. In order to continue fulfilling all visa liberalisation benchmarks and to avoid the possible activation of the suspension mechanism, Georgia needs to take further urgent action to address the Commission's recommendations. In particular, the following issues need to be addressed:

- a) Ensure and uphold the protection of fundamental rights of all Georgian citizens, including the freedoms of association, assembly and expression, the right to privacy, the right to participate in public affairs, as well as the prohibition of discrimination.
- b) Avoid and repeal any legislation that may restrict fundamental rights and freedoms, go against the principle of non-discrimination and contradict relevant European and international standards. In particular, repeal the Law on 'transparency of foreign influence' and the legislative package on 'family values and protection of minors', and amend the national strategy and action plan on human rights to ensure that the rights of LGBTIQ persons are fully upheld.
- c) Align Georgia's visa policy with the EU list of visa-required third countries, in particular with regard to countries presenting irregular migration or security risks to the EU.
- d) Step up action to address the issue of unfounded asylum applications and irregular stays in Member States, such as information campaigns on the visa-free regime to relevant migrant profiles and stricter border checks.
- e) Set up an Asset Recovery Office and Asset Management Office, and continue efforts in asset tracing, freezing, management, confiscation and disposal.
- f) Adopt a new anti-corruption strategy and action plan, ensuring adequate resources for their implementation and pay special attention to investigation, prosecution, and adjudication of high-level corruption cases.
- g) Amend the Law on Anti-Corruption Bureau to address key Venice Commission recommendations, particularly those pertaining to the Anti-Corruption Bureau's effective independence, political neutrality and functions.
- h) Align the Law on Personal Data Protection with the EU acquis.

## **UKRAINE**

### **1. Visa policy alignment**

Ukraine has a visa-free regime with 15 countries that are on the EU list of visa-required countries: Armenia, Azerbaijan, Bahrain, Belarus, Ecuador, Kazakhstan, Kuwait, Kyrgyzstan, Mongolia, Oman, Qatar, Saudi Arabia, Tajikistan, Türkiye, and Uzbekistan.

There was no progress towards more alignment with the EU list of visa-required countries in 2023.

### **2. Document security, including biometrics**

Ukraine has been issuing biometric passports since 2015. The last non-biometric passports were issued in 2016, and their complete phase-out will occur in 2026, when they expire. In May 2022, a deduplication software was developed and put in operation to define duplicates in the National System for Biometric Verification and Identification of citizens of Ukraine, foreigners, and stateless persons (NSBVI), under the administration of the State Migration Service of Ukraine. As a result of the deduplication conducted, 4 581 duplicate cases with very high or medium level of confidence were found. This exercise was crucial for identifying fraud as well as for proper information management.

Every citizen of Ukraine receives a unique national number, which never changes (even if the person in question changes name) and is incorporated into every identification document, including passports.

Despite the ongoing war of aggression against Ukraine, in 2023 the issuing of identity documents continued, except in territories of Ukraine temporarily occupied by Russia, including Crimea. After a temporary interruption in 2022, in 2023 Ukraine resumed the functioning of the register of invalid Ukrainian passports; the database is updated daily. Exchange of information on stolen and lost documents between Ukraine and Interpol has never been interrupted.

### **3. Integrated border management, migration management, asylum**

Since the beginning of Russia's full-scale invasion, large parts of Ukrainian international borders have been occupied by Russia. A total of 110 crossing points on the border with Russia, Belarus and on Transnistrian segment of the border with Moldova remained closed. A further 49 points in territories temporarily occupied by Russia are no longer under control of Ukraine. However, in sectors under control of Ukrainian government border management continued without interruption.

The Strategy of Integrated Border Management for the period 2023-2025 was amended in July 2023. The Action Plan for the implementation of the strategy was adopted in December 2023. In June 2023, a national methodology for assessing the quality of the implementation, conceived with the assistance of EU experts, was officially adopted. A joint working group on quality control in border management, which includes Frontex and EU Advisory Mission (EUAM) Ukraine in observer capacity, was subsequently set up.

In 2023, considerable efforts were made to upgrade the technical equipment of all border crossing points remaining under control of Ukraine. Ukrainian border services received from some EU Member States significant quantities of equipment and specialised training. The EUR 12 million Frontex grant in support of the State Border Guard Service of Ukraine was successfully implemented throughout 2023. The acquired equipment was a solid technical contribution to maintaining the core Integrated Border Management (IBM) functions of Ukrainian institutional partners. The grant enabled greater capabilities, particularly at the country's western borders, preparing the ground for renewed joint operational activities.



Joint patrolling with border services of some EU Member States continued.

In June 2023, Ukraine adopted two new laws on migration, updating, amongst others, the procedures to grant and withdraw residence permits and the penalties for irregular stay.

With air and sea access to Ukraine being limited, and the whole territory, borders included, being under martial law, both regular and irregular migration to, from and through Ukraine were reduced. In 2023, a total of 5 467 irregular migrants were intercepted on borders with Ukraine (12 094 in 2022) and 3 389 irregular migrants were discovered on the territory of Ukraine (5 062 in 2022); among the latter, 45% were citizens of Russia, Azerbaijan, and Moldova.

Ukraine continued to combat trafficking in human beings and remained engaged in the implementation of the Common Anti-Trafficking Plan to address the risks of trafficking in human beings and support potential victims among those fleeing the war in Ukraine. Ukraine takes active part in the regular meetings of the EU Network of National Coordinators and Rapporteurs and in law enforcement and judicial cooperation with Member States and the EU Agencies. In 2024 it participated in 19 operational actions organised within the framework of the EMPACT and in several joint investigation teams against organised crime groups involved in trafficking in human beings. Due to the economic hardship and Russian military aggression, Ukrainian nationals remain vulnerable to trafficking. Therefore, the actions set out in the Common Anti-Trafficking Plan must continue to apply.

The cooperation between Ukraine and Frontex is based on the working arrangement signed in 2007. In 2023, Frontex continued providing relevant advice within its mandate, assisting Ukrainian authorities in responding to urgent capacity building needs and to a reflection process on the new multiannual IBM framework.

In 2023, there were no meetings of the EU-Ukraine Joint Readmission Committee. However, the development of cooperation on readmission with EU Member States continued in 2023, with the signature of implementation protocols with Romania and Latvia.

Ukraine continued the cooperation with IOM, ICMPD and UNHCR.

Applications for asylum continued to be examined in Ukraine. However, since the Russian full-scale invasion on 24 February 2022, the number of applications diminished significantly; in 2021, there were 1198 applications, but only 205 in 2022, and 109 in 2023. Positive decisions went from 157 in 2021 to 46 in 2022, and 53 in 2023. As of end 2023, there were 2520 recognised refugees or persons under subsidiary protection residing in Ukraine.

#### **4. Monitoring trends in migration, temporary protection, applications for international protection, and readmission**

Following the activation of the Temporary Protection Directive<sup>19</sup> in 2022, as of 5 November 2024 **the estimated number of active registrations for temporary protection** in the 27 Member States, Norway, Iceland, and Switzerland, according to data uploaded on the Temporary Protection Platform and channeled via the Blueprint Network, is **4 569 496**, of which **4 424 322** in **the EU MS**. 436 095 inactive registrations were recorded on the platform. Germany, Poland and Czechia remain the Member States hosting the highest number of beneficiaries of temporary protection (1.13 million in

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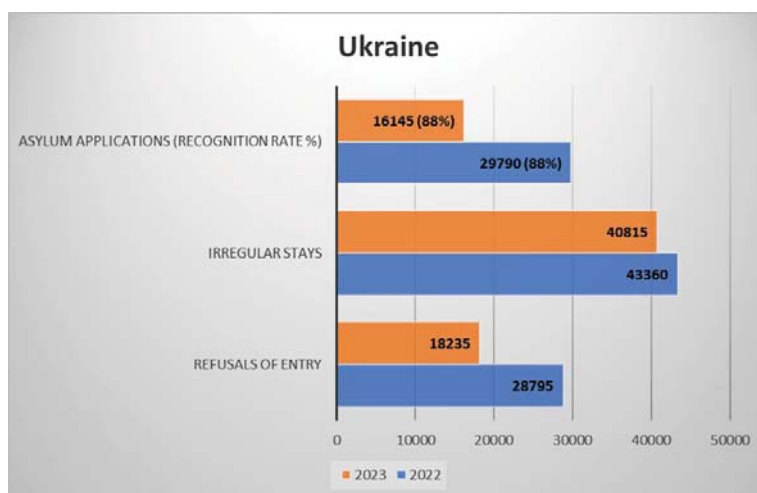
<sup>19</sup> Council Implementing Decision (EU) 2022/382 of 4 March 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection, ST/6846/2022/INIT, OJ L 71, 4.3.2022, p. 1–6.



Germany, almost 1 million in Poland, and close to 400 000 in Czechia).<sup>20</sup> In 2023, there were 1 056 020 decisions granting temporary protection in the EU, corresponding to one fourth of the number of the decisions taken in 2022.<sup>21</sup>

In 2023, the number of Ukrainian applicants for international protection in Member States was 16 145, 46% less than in 2022 (29 790). The recognition rate remained stable in 2023 (88%).

The number of Ukrainian nationals irregularly crossing the EU border in 2023 decreased by 11% (4 579 in 2023 compared with 5 148 in 2022). In 2023, 40 815 Ukrainian nationals were found to be irregularly staying in EU (43 360 in 2022, a decrease of 6%). The number of refusals of entry to Ukrainian nationals fell by 37%, from 28 795 in 2022 to 18 235 in 2023.



Source: Eurostat

## 5. Public order and security

In May 2023, Ukraine adopted the Overarching Strategic Plan for the Reform of the Entire Law Enforcement Sector for 2023-2027, with ambitious objectives. In September and October 2023, Ukraine adopted revised legislation on fighting against money laundering. In December 2023, Ukraine adopted new legislation on fighting against the smuggling of goods and avoidance of excise taxes/custom duties; in this field, tobacco smuggling is considered a particularly serious problem by Ukrainian authorities. In August 2024, Ukraine adopted the Action Plan, which will implement the Overarching Strategy for the reform of the law enforcement sector.

Cooperation with the EU on combating organised crime continued, including via five Joint Investigation Teams (JIT) with EU Member States in 2023; eight more JITs with EU Member States were created in the beginning of 2024. Intensive cooperation also took place under EMPACT (122 operational actions). Cooperation with the EU via Europol continued with more than 28 000 messages exchanged through SIENA and with numerous operational actions, against various criminal activities such as cybercrime (including fraud in cybercurrencies), smuggling of drug precursors, migrant smuggling, trafficking in human beings, illicit trade of firearms.

Efforts were made to improve the registration and control of circulation of weapons; in June 2023 a Unified Register of Weapons became operational.

<sup>20</sup> [Statistics | Eurostat \(europa.eu\)](https://statistics.eurostat.eu).

<sup>21</sup> [Statistics | Eurostat \(europa.eu\)](https://statistics.eurostat.eu).

On 5 July 2024, the Cabinet of Ministers approved a draft regulation developed by the Ministry of Internal Affairs to create a Coordination Centre on Countering Illegal Circulation of Firearms, its Components and Ammunition to serve as a temporary consultative and advisory body under the Cabinet of Ministers. The primary objectives of the Centre include coordinating the efforts of various state agencies involved in firearms circulation, facilitating information exchange, and developing regulations based on international best practices. This initiative aligns with recommendations from the European Commission, as outlined in the 2023 Enlargement package.

There is also operational cooperation between EU and Ukraine in this field, including by a working group inside the Group of European Experts on Firearms (EFE) composed of Ukraine, five EU Member States and Europol. The EU provided training and expert advice under the coordination of EUAM. The topic of trafficking of firearms and other small arms and light weapons (SALW) is being addressed since 2019 by the EUAM, including through a project implemented by the OSCE (“In support of Ukraine’s efforts to combat illicit trafficking in weapons, ammunition and explosives”). The project builds on the 2018 ‘EU SALW Strategy’ and strengthens the capacities of the State Border Guard Service of Ukraine, the Ministry of Internal Affairs of Ukraine and the State Fiscal Service/State Customs Service of Ukraine in combating illicit trafficking in weapons, ammunition and explosives in Ukraine. Firearms trafficking is also discussed in the framework of the ‘EU-Ukraine internal security dialogue’, since 2023, following Ukraine’s candidate status.

In line with the 2018 ‘EU strategy against illicit firearms, small arms and light weapons and their ammunition’, the EU continuously works with Ukraine to prevent the diversion of firearms and SALW, their ammunition and explosives. The EU engagement in addressing the risk of illicit trafficking in SALW and their ammunition has been focused on the following areas: a) a support provided through ongoing CFSP Council Decisions implemented by OSCE, UNDP SEESAC, and Conflict Armament Research; b) the implementation of the EU ‘List of Actions to counter firearms and other SALW diversion in the context of Russia’s war of aggression against Ukraine’; c) end-use monitoring of the military assistance provided under the European Peace Facility. The EU also works together with Ukraine and international partners in the framework of the EU-Ukraine internal security dialogue; Quad + EU meetings with Ukraine; G7 Non-proliferation Directors Group; and regular dialogues with third countries on conventional arms control.

As regards the fight against drug smuggling, the State Policy Drug Strategy for the period 2023-2030, has not been adopted yet. Ukraine continued international cooperation in this field with the EUDA based on a 2022 working arrangement as well as in the context of the EU4MD II project, Europol, within EUBAM, and within the framework of EMPACT.

In the fight against cybercrime (especially theft of funds by deception and/or hacking), Ukraine intensively cooperated with EU Member States, Europol and Eurojust, but also US agencies and third countries (e.g., Georgia).

As a consequence of Russia’s war of aggression against Ukraine, the justice system faced an unprecedented number of cases linked to war crimes and crimes against humanity. One of the consequences was the creation in April 2023 of the Coordinating Centre for the Support of Victims and Witnesses. Another consequence of the Russian military aggression was an increased number of acts of sabotage and terrorism (187 in 2023), specifically targeting Ukrainian critical infrastructures, which strained further the resources of law enforcement and security agencies, as well as those of the whole judicial system.

In the fight against corruption, Ukraine continued to apply the Anti-Corruption Strategy for 2021-2025 and the State Anti-Corruption Programme for 2023-2025. In August 2023, the Asset Recovery Strategy for 2023-2025 was adopted and the action plan for its implementation was adopted by the government in August 2024.

In December 2023, a new law was adopted on strengthening the institutional capacity of the National Anti-Corruption Bureau of Ukraine (NABU), increasing the staff of NABU from 700 to 1000 people. On the other hand, despite the recommendation issued in previous Visa Suspension Mechanism Reports, there was still no progress with the establishment of autonomous wiretapping capabilities by the NABU. In July 2023, NABU signed a cooperation agreement with the European Public Prosecutor's Office (EPPO).

On 1 January 2024, the law on strengthening the independence of the Specialised Anti-Corruption Prosecutor's Office (SAPO) was adopted; it provides SAPO with the status of a separate legal entity from the Office of the Prosecutor General and defines the procedure for competitive selection for appointment to administrative positions in SAPO and to the posts of prosecutors, including the head of SAPO.

In March 2023, Ukraine amended the legislation on selection and preparation of prosecutors, improving the mechanism for the recruitment and disciplinary procedures.

Other legislative measures related to the fight against corruption adopted in 2023 included some amendments to legislation on regulation of financing of political parties and electoral campaigns and the restoration of the obligations of reporting on financing of political parties as well legal amendments for the restoration of declaration of assets by public officials.

In 2023, NABU opened 257 investigations (compared to 187 in 2022). Based on the results of the NABU investigation, and under the procedural guidance of SAPO, in 2023 there were 100 indictments submitted to the High Anti-Corruption Court (compared to 54 in 2022); the court issued 44 final convictions (including against four judges, one Member of Parliament, two deputy ministers and one civil servant of the highest category (A))

In June 2024, the law revising the legal basis on the Economic Security Bureau of Ukraine entered into force developing an open, transparent and competitive process for selection of management and staff, vetting of staff as well as an independent performance audit, thus contributing to enhancing the accountability, integrity and professionalism in combatting economic crimes.

## **6. External relations and fundamental rights**

The respect for fundamental rights is overall ensured and Ukraine has shown its commitment to protecting them and further aligning with EU standards, despite the restraints due to the ongoing war and martial law. Martial law has led to some restrictions of rights and freedoms, but they have remained largely in proportion to the security situation and have generally been applied with caution.

Ukraine made significant progress towards the ratification of the Rome Statute of the International Criminal Court by adopting the ratification law for the Rome Statute and made steps towards aligning domestic legislature with international obligations.

Ukraine continues to implement the Council of Europe project 'Combating hate speech in Ukraine' for 2023-2025. The aim of the project is to strengthen national legal remedies against discrimination and hatred, including improving forms of compensation for victims.

Following the ratification of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention) Ukraine adopted amendments to the Code on Administrative Offences in May 2024 to bring legislation on preventing and combating domestic violence in line with the Convention.

As a result of Russia's full-scale invasion and deliberate targeting of civilians and civilian infrastructure, the number of people with disabilities continues to increase among the military and civilians. In June 2023, Ukraine adopted a new law on registration of persons with disabilities in need of assistance from specialised funds. The new law was accompanied by a budgetary effort to finance assistance to persons with disabilities.

On 8 December 2023, Ukraine amended the legislation on national minorities, introducing substantial changes to the Laws on national minorities (Communities), on media, on state language, on publishing and on education, followed by several implementing laws, roadmaps and methodologies.

As a result of Russia's war of aggression, there are 3.7 million internally displaced persons in Ukraine. In April 2023, Ukraine adopted a State Policy Strategy on Internal Displacement and its accompanying action plan for the period 2023-25. Amongst the main objectives, other than housing and employment, is to ensure the continuous education of children from displaced families.

## **7. Recommendations**

Overall, Ukraine continues to fulfil the visa liberalisation requirements and has taken action to address some of the Commission's previous recommendations. However, further efforts are needed, where possible in the current context. In particular, the following issues need to be further addressed:

- a) Align Ukraine's visa policy with the EU list of visa-required third countries, in particular with regard to countries presenting irregular migration or security risks to the EU.
- b) Continue strengthening efforts in the fight against organised crime, with a special focus on countering the smuggling of firearms and drugs, combatting trafficking in human beings and the financial dimension of organised crime, despite the war-related challenges.
- c) Continue strengthening the anti-corruption framework, ensuring that anti-corruption institutions are fully independent and able to deliver a real and significant output, also in view of long-term reconstruction efforts.

## KOSOVO

The Commission launched a visa liberalisation dialogue with Kosovo on 19 January 2012 and on 14 June 2012 presented a visa liberalisation roadmap<sup>22</sup> identifying the legislative and other measures which Kosovo needed to adopt and implement. Following that, the Commission adopted four reports assessing Kosovo's progress<sup>23</sup>. On 4 May 2016, the Commission proposed to the Council and the European Parliament<sup>24</sup> to lift the visa requirement for Kosovo. After Kosovo fulfilled the two previously outstanding requirements,<sup>25</sup> on 18 July 2018<sup>26</sup> the Commission confirmed that Kosovo fulfilled all 95 benchmarks as set out in the roadmap and proposed visa liberalisation for Kosovo.

Following negotiations between the European Parliament and the Council, Regulation (EU) 2023/850 was adopted on 19 April 2023<sup>27</sup>, amending Regulation (EU) 2018/1806 by transferring Kosovo from Part 2 of Annex I to Part 4 of Annex II to that Regulation. The exemption from the visa requirement started to apply on 1 January 2024, and applies to holders of biometric passports issued by Kosovo in line with the standards of the International Civil Aviation Organisation (ICAO).

Since completing the visa liberalisation roadmap in 2018, Kosovo has continued to adopt and implement legislation in the fields covered by the roadmap, largely complying with EU and international standards in line with the benchmarks of the roadmap.

### 1. Visa policy alignment

Kosovo has a visa-free regime with 16 countries that are on the EU list of visa-required countries: Bahrain, Belize, Eswatini, Fiji, Guyana, Jordan, Kuwait, Lesotho, Malawi, Maldives, Oman, Papua New Guinea, Qatar, Sao Tome and Principe, Saudi Arabia, and Türkiye. In August 2024, Kosovo reinstated a visa requirement for nationals of Botswana, Namibia, and South Africa.

As stated in the preamble to the Regulation that granted Kosovo the visa-free status<sup>28</sup>, to ensure that migration is managed well and to ensure a secure environment, Kosovo should seek to further align its visa policy with that of the EU. The lack of alignment of Kosovo's visa policy with the EU visa policy contributes to an increased risk of irregular migration to the EU via the Western Balkan route.

As part of its Reform Agenda under the Growth Plan, Kosovo has committed to further align with the EU list of visa-required countries. Pending full alignment, a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks, would be a minimal temporary measure expected from Kosovo.

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<sup>22</sup> [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_12\\_605](https://ec.europa.eu/commission/presscorner/detail/en/IP_12_605)

<sup>23</sup> COM (2013) 66 final, COM(2014) 488 final, COM(2015) 906 final, accompanied by SWD(2015) 706 final, and COM(2016) 276 final.

<sup>24</sup> COM (2016) 277 final.

<sup>25</sup> Ratification of the Border Demarcation Agreement with Montenegro (21 March 2018) and the establishment and strengthening of a steady track record of investigations and final court rulings in organised crime and corruption cases.

<sup>26</sup> COM(2018) 543 final.

<sup>27</sup> Regulation (EU) 2023/850 of the European Parliament and of the Council of 19 April 2023 amending Regulation (EU) 2018/1806 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 (Kosovo (This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.))

<sup>28</sup> Ibid., Recital 6.



## **2. Document security, including biometrics**

Kosovo issues machine-readable biometric personal travel documents in compliance with ICAO and EU standards for security features and biometrics in travel documents. Machine-readable biometric personal travel documents have been issued since 2011. The last non-biometric passports issued in 2011 expired in 2021. Hence, there are no more valid non-biometric passports in circulation. One Member State mentioned that, although the new basic travel document issued by Kosovo (biometric with chip) has good security features, documents are personalised with inkjet technology, which makes them easier to forge.

In 2023, Kosovo launched two initiatives to improve document security: first, the government approved a new law for identity cards and sent it to the Assembly for approval; second, it approved a new Administrative Instruction for Issuing Identity Cards which simplifies the application process and strengthens the security features of ID cards.

Kosovo Police regularly reports lost and stolen passports to Interpol. In 2022, it reported 4 440 Stolen and Lost Travel Documents (SLTDs), while in 2023 it reported 4 531 SLTDs to Interpol.

## **3. Integrated border management, migration management, asylum**

In terms of border management, in December 2023 Kosovo approved a new Law on border control to further align with the relevant EU *acquis*, specifically the Schengen Borders Code and the Directives on Advanced Passenger Information (API) and Passenger Name Record (PNR). Kosovo continues to implement integrated border management (IBM) at its border crossing points, improved in 2013 through the establishment of the National Centre for Border Management (NCBM), tasked with distributing information and acting as a joint multi-agency risk analysis centre. Kosovo has drafted and approved three consecutive strategies for IBM during the period 2009-2024. There is currently a strategy in place for the period 2020-2025.

The basis for cooperation with Kosovo is the EU-Kosovo Stabilisation and Association Agreement, which entered into force in 2016. Kosovo also signed a number of bilateral agreements related to border management with neighbouring countries, such as the 2018 agreement with Albania, related to joint border controls at Morine–Kukes border crossing point.

Kosovo signed a working arrangement with Frontex in 2016. Since then, Kosovo has cooperated closely with Frontex as Kosovo authorities have benefitted from Frontex officers' expertise in document verification and border management. One of the expected outcomes of the project "EU Regional Support to Strengthen Border Security Capacities in the Western Balkans" is for Kosovo to obtain access to capacity building programs and equipment, advance national coordination centres, as well as to align its IBM strategy with the European IBM concept and strategy.

Regarding irregular migration management, in December 2023, days prior to the entry into force of visa liberalisation, Kosovo established an early warning mechanism for monitoring migration trends of Kosovo citizens in the Schengen area. The Ministry of Internal Affairs has revised the action plan of the migration strategy, in order to align it with recent EU developments. The action plan was approved in June 2024.

With regard to cooperation on readmission, until 2022, Kosovo signed readmission agreements with 24 countries, including 20 Member States of the Schengen area. In 2023 Kosovo started to negotiate bilateral readmission agreements with Latvia, Lithuania and Poland. Overall, Member States reported very close cooperation on readmission with Kosovo. One Member State highlighted that improvements



are needed with regard to certain readmission requests that have been increasingly rejected since 2018 *inter alia* due to a lack of registration in biometric databases or inaccurate civil registry.

Following the launch of Frontex annual call to Western Balkan partner institutions to take part in Frontex-managed Country Working Group (CWG) meetings as observers, Kosovo was granted observer status to CWG Algeria, Morocco and Iraq.

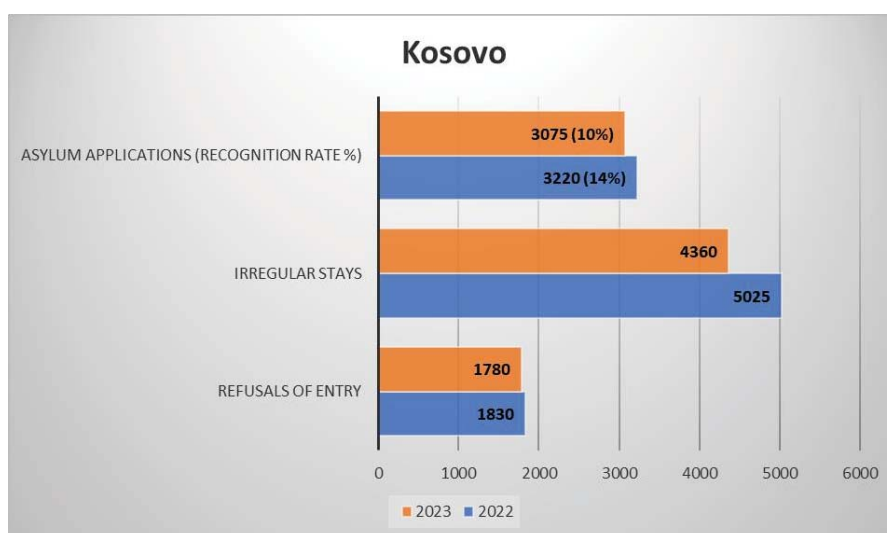
The European Union Asylum Agency (EUAA) and the Ministry of Internal Affairs signed in March 2022 a roadmap for cooperation between Kosovo and the EUAA, regarding the strengthening of the asylum and reception system in line with the common standards of the asylum system and EU standards. In March 2024, the deadline for the implementation of the roadmap was extended for one year, taking into account that some of the objectives foreseen in the roadmap are still relevant.

#### **4. Monitoring trends in migration, temporary protection, applications for international protection, and readmission**

The number of applications for international protection lodged in Member States by citizens of Kosovo slightly decreased (by 4.5%) between 2022 and 2023, with 3 220 applications lodged in 2022 compared with 3 075 applications in 2023. The recognition rate of 14% in 2022 dropped to 10% in 2023.

In 2023, Member States reported 176 irregular border crossings by Kosovo citizens, representing a significant improvement of 48% less than in 2022 (339), and the same trend applies to the number of Kosovo citizens found to be irregularly staying in Member States – a decrease by 13% compared with 2022 (from 5 025 in 2022 to 4 360 in 2023). The number of refusals of entry for Kosovo citizens in Member States dropped by 3% in 2023 (from 1 830 in 2022 to 1 780 in 2023) marking a positive change of the trend from the past year.

The number of return decisions issued in 2023 (4 565) remained stable compared to 2022 (4 455) which represents a minor increase of 2%. In 2023, 1 465 returns of Kosovo citizens were reported, compared with 1 540 in 2022 (a decrease of 5%). The same trend marked the return rate which decreased from 35% in 2022 to 32% in 2023.



Source: Eurostat

As full Eurostat data for the year 2024 will only be available in mid-2025, it is not yet possible to assess fully the impact of the entry into force of the visa liberalisation on migration and asylum trends in the Schengen area.

However, some Member States reported a substantial increase in unfounded asylum applications lodged by Kosovo citizens since the beginning of 2024. In the first seven months of 2024, 3 905 applications have been lodged by Kosovo citizens in EU Member States (+108% compared to the same period in 2023). As part of the initiatives taken to address the issue, Kosovo and the local Schengen cooperation group have initiated discussions to establish an information sharing mechanism between Member States authorities (including local diplomatic missions) and Kosovo authorities for the purpose of monitoring irregular migration and asylum trends. This initiative also involves reigniting Kosovo's internal communication campaign to inform about the rights and obligations applying to travel to the Schengen area and Kosovo engaging bilaterally with the most affected EU Member States.

## **5. Public order and security**

Since June 2023, due to the lack of decisive action to de-escalate the tensions in the north of Kosovo, the EU has been implementing a number of measures vis-à-vis Kosovo, which also impact financial support. In 2023, Kosovo started implementing amendments made in 2022 to the legal framework on criminal and judicial matters, including the Criminal Code, Criminal Procedure Code, the Law on the Agency for Prevention of Corruption, and the Law on Declaration, Origin and Control of Assets and Gifts. Kosovo further amended the Criminal Code and the Criminal Procedure Code in 2023. These amendments contributed to further align Kosovo's legal framework with the EU *acquis* in these fields. Kosovo also launched the drafting of the new Anti-Corruption Strategy. The 2023-2028 national strategy and action plan on the prevention and countering of terrorism were adopted in June 2023.

A Law on the Special Prosecution was adopted in October 2023, which notably provides a legal basis for a special investigation unit within the Kosovo Police to support the Special Prosecution Office. This law also creates the basis for Joint Investigations Teams to investigate and prosecute criminal offenses for which the Special Prosecution Office is competent.

Cooperation on security between Kosovo and the EU is supported by a Working Arrangement signed in 2020 between Kosovo and Europol, complemented by specific agreements for the exchange of classified information and the use of SIENA channel. Kosovo has deployed a liaison officer to Europol since March 2023. Kosovo Police also participates in EMPACT activities, where in the 2024-2025 EMPACT cycle, Kosovo has confirmed participation in 12 operational action plans and 70 Operational Actions. The authorities continued to implement the bilateral implementing arrangement with the EU for the joint action plan on counterterrorism for the Western Balkans.

Kosovo also maintains a working arrangement with the European Union Agency for Law Enforcement Training (CEPOL), signed in 2017. Kosovo participates in CEPOL activities, including through the EU-funded project "Western Balkans partnership against crime and terrorism".

Kosovo continued its cooperation with the EUDA based on a 2020 working arrangement as well as in the context of the IPA8 project.

## **6. Fundamental rights**

In general, Kosovo's constitutional and legal framework guarantees the protection of fundamental rights and freedoms. Kosovo appointed a national coordinator for domestic violence and established a central secretariat for combating gender-based violence, in accordance with the Istanbul Convention. With regards to the fight against gender-based violence, Kosovo put in place a new program for the rehabilitation of perpetrators and adopted criminal legislation amendments increasing punishment and establishing safeguards for the application of the law. Amendments to the Criminal Procedure Code also addressed some shortcomings related to compliance with procedural deadlines and defence

representation. Remaining issues of concern include delayed and excessively prolonged court proceedings. The adoption of the Civil Code, which would strengthen the protection of civil and fundamental rights, remains pending.

The government adopted a Strategy for the protection and promotion of the rights of communities, which aims to strengthen the rights of minorities. However, several actions negatively affected the rights and living conditions of non-majority communities disproportionately in the north of Kosovo, such as expropriation processes carried out without following legal procedures, a Central Bank regulation restricting cash transactions in any other currency than Euro, and closures of Serbian banks, Serbian postal offices and Serbia-supported public services providers in Kosovo, which operated outside of the Kosovo legal framework. Kosovo is expected to safeguard existing mechanisms protecting the rights of non-majority communities and improve their implementation, in a coordinated and agreed manner, making use of the EU-facilitated Dialogue on normalisation of relations with Serbia. In a long-awaited decision, Kosovo implemented the judgment of the Constitutional Court on Dečan/Dečani Monastery land ownership.

In July 2024, a new Law on the media regulator, was adopted by the Assembly. It contributes to enhancing media regulation and the regulator's performance. Nonetheless, the Assembly's amendments failed to reflect a majority of the EU and other international partners' recommendations. Concerns remain over the independence, powers and financing of the regulator and over the lack of clarity and proportionality of the law. The opposition referred the Law to the Constitutional Court for review.

## **7. Recommendations**

Overall, Kosovo continues to fulfil the visa liberalisation requirements. However, further efforts are needed. In particular, the following issues need to be further addressed:

- a) Align Kosovo's visa policy with the EU list of visa-required third countries. Pending full alignment, a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks, should be introduced either via operational and/or administrative initiatives (e.g., at border crossing points) or by national legislation as a minimal temporary measure expected from Kosovo.
- b) Continue and strengthen the initiatives recently launched in cooperation with Member States to monitor the issue of unfounded asylum applications by Kosovo citizens in Member States, including by reinforcing awareness campaigns to inform about the rules applying to travel to the Schengen area and by applying stricter screening upon departures.
- c) Continue implementing bilateral readmission agreements to keep the current good level of cooperation, and work towards concluding new readmission agreements.
- d) Continue implementing the legal and policy framework on judicial and criminal matters.
- e) Further strengthen the protection of the rights of non-majority communities and improve their implementation.

## **2. VISA-FREE FOR MORE THAN 7 YEARS**

### **ALBANIA**

#### **1. Visa policy alignment**

Albania has a visa-free regime with 13 countries that are on the EU list of visa-required countries, of which seven enjoy permanent visa exemption (Armenia, Azerbaijan, Belarus, China, Kazakhstan, Kuwait, and Türkiye) and six have a seasonal visa waiver to enter Albania (Bahrain, Oman, Qatar, Saudi Arabia and Thailand – 16 March to 31 December 2024, and Indonesia – 1 April to 31 December 2024). In addition, third-country nationals who have a 10-year residence permit in the United Arab Emirates, valid at least one year at the moment of entry, can also enter Albania visa-free.

In April 2023, Albania removed Russia, India and Egypt from its list of seasonal visa exemptions. In March 2024, however, it added Indonesia to the list. In May 2024, Albania partially suspended its visa-free waiver with Belarus for diplomatic and service passport holders. This visa-free regime is however maintained for all Belarus holders of an ordinary passport. In July 2024, Albania suspended its visa-free regime with Guyana for all passport holders.

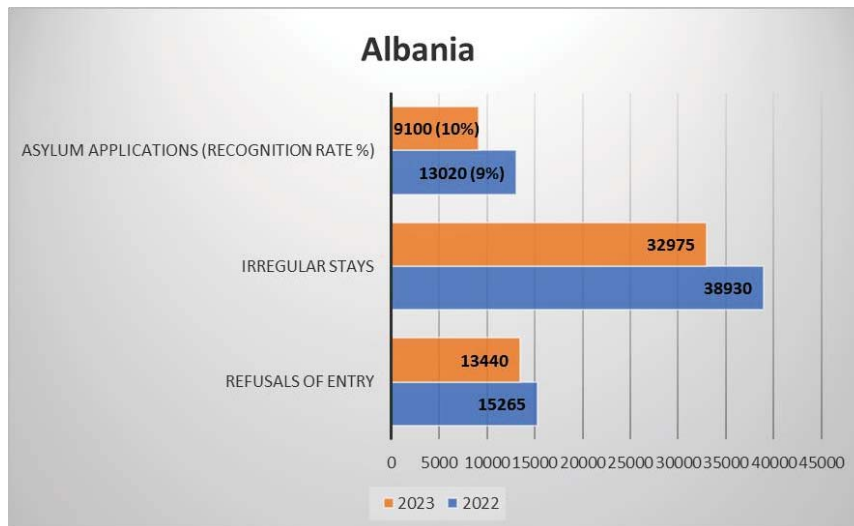
The lack of alignment of Albania visa policy with the EU visa policy contributes to an increased risk of irregular migration to the EU via the Western Balkans route. The Commission expects from Albania further progress on visa policy alignment. As part of its Reform Agenda under the Growth Plan, Albania has committed to further align with the EU list of visa-required countries. Pending full alignment, a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks, would be a useful temporary minimal measure.

#### **2. Monitoring trends in irregular migration, applications for international protection, returns and readmission**

The number of applications for international protection lodged in Member States by Albanian nationals decreased by 30% between 2022 and 2023, with 9 100 applications lodged in 2023 compared with 13 020 applications in 2022. The recognition rate of 9% in 2022 slightly increased in 2023 (10%).

In 2023, Member States reported 639 irregular border crossings by Albanian nationals, 14% less than in 2022 (746). The same trend marked the number of Albanian nationals found to be irregularly staying in Member States in 2023 (32 975) compared to 2022 (38 930) or a decrease of 15%. The number of refusals of entry for Albanian nationals in Member States dropped by 12% in 2023 (from 15 265 in 2022 to 13 440 in 2023).

The number of return decisions issued in 2023 (17 415) dropped by 28% compared to 2022 (24 165). In 2023, 8 235 returns of Albanian nationals were reported, compared with 10 020 in 2022 (a decrease of 18%). The return rate slightly increased from 41% in 2022 to 47% in 2023 continuing the positive trend from the past years.



Source: Eurostat

### 3. Cooperation on migration, border management and readmission

Albania continued to engage positively on the implementation of the EU Action Plan on the Western Balkans. Albania continued to implement an Intersectoral Strategy of Integrated Border Management for 2021-2027 and its related Action Plan for 2021-2023. In May 2024, Albania also adopted a new National Strategy for Migration 2024-2030 and its related Action Plan 2024-2026. Work on these initiatives focused on increasing migration management capabilities and inter-institutional and international cooperation, with six projects being carried out in this area.

With regard to migration and border management, Joint Operations (JOs) are being carried out with the European Coast and Border Guard Agency (Frontex). Albania signed a new Status Agreement on 15 September 2023 which entered into force in June 2024 and allowed new deployments of the European Border and Coast Guard standing corps officers by Frontex at Albania's borders with non-EU countries in addition to existing deployments since 2019 and 2021 at Albania's land border with Greece and maritime border with Italy. Overall, Member States reported close cooperation with Albania. There is a Frontex Liaison Officer based in Tirana with a regional mandate covering Albania, Kosovo and North Macedonia.

In the field of readmission, Albania continued to implement the EU-Albania Readmission Agreement as well as bilateral readmission agreements. 407 requests for readmission of Albanian citizens from EU Member States were processed (i.e., 33 more than in 2022). Overall, Albania is reported to have cooperated to a satisfactory extent with Member States on readmission. Only two Member States reported that, although efforts on returns have increased, additional efforts may be needed to step up the level of cooperation.

In 2023, Member States did not require any further assistance of Frontex on identification and acquisition of travel documents for presumed Albanian nationals. In 2024, following the Frontex call to Western Balkans to take part in Frontex-managed Country Working Group (CWG) meetings as observers, Albania was granted observer status to CWG Algeria, Bangladesh, Morocco and Somalia.

Albania continued its cooperation with the EUAA. The second Roadmap framing this cooperation and covering 2024-2027 has been endorsed by the Albanian Minister in October 2024.

### 4. Actions taken on unfounded asylum applications

Albania has followed up on the measures taken in 2022 and mentioned in the sixth report under the



visa suspension mechanism. Following the adoption in 2022 of an Inter-institutional Action Plan “On the Prevention of the Asylum-Seeking Phenomenon of Albanian Citizens in the Schengen/EU countries”, in 2023 Albania has started to implement it, building on previous positive experience in addressing the phenomenon. Albania also continued to implement the dedicated bilateral action plan for addressing the issue of Albanian asylum seekers in France. Albania has also continued to strengthen checks on Albanian citizens who cross their national borders for travelling to the Schengen area. Within these efforts, specific focus was placed on checks on minors travelling abroad, including notarised declarations of minors at the border.

Albania also continued to implement the action plan for addressing the issue of unaccompanied Albanian minors in Italy.

Albania’s border and migration police also engaged in intensive cooperation and exchange of information with its counterparts in the region to tackle the phenomenon of Albanians travelling via neighbouring countries for the purpose of seeking asylum in the EU and therefore avoiding detailed verifications imposed on Albanian citizens when travelling from Albania.

## **5. Citizenship by investment**

In the sixth report under the visa suspension mechanism, it was reported that in 2023, Albania announced its decision to suspend the initiative related to the establishment of an investor citizenship scheme. Indeed, Albania did not establish an investor citizenship scheme and no new developments were reported by Albania on this matter. The Commission will continue monitoring this issue.

## **6. Cooperation on security**

In 2023, Albania took part in 20 joint investigation teams, devoted to combating various categories of organised crime, mainly drug trafficking, money laundering, and computer-based crimes. In general, Albania has offered a good level of cooperation with all countries involved. In the fight against organised crime, Albania has given special importance to cooperation with EU law enforcement agencies, strengthening and increasing cooperation with counterpart structures at the regional and international level. This cooperation has consisted in the exchange of police information in the areas of investigation of criminal offenses for narcotics, illegal trafficking, money laundering, economic and financial crime, computer crime and serious crimes, where the information was exchanged mainly through the channels of Interpol, Europol, and the CARIN Network. Albania has deployed a second liaison officer to Europol in 2023.

In 2023, the Albanian State Police intensified information exchange by increasing the number of SIENA messages shared with international partners.

Albania continues to be the most active third country participating in the EMPACT. Albanian State Police is co-leader on the Operation Action “Taskforce on Western Balkan migrant smuggling”. During the reporting period, Albanian State Police participated in six Joint Action Days (JADs) concerning migrant smuggling, trafficking in human beings and arms trafficking. These operations and information exchanges with partners have brought positive results on the seizures and arrest of perpetrators. All results of JADs have been reported to Europol.

Cooperation with CEPOL has occurred within the framework of the Western Balkans Partnership against Crime and Terrorism (WB PaCT). During 2023 52 Albanian State Police employees from the Criminal Police Department, Border and Migration Department, and Counter-Terrorism Directorate have participated in CEPOL activities under this project.



Albania successfully implemented the measures foreseen in the Joint Action Plan on Counterterrorism under its five objectives. The first six-month report for 2023 on the implementation was submitted to the Commission in October 2023.

Albania continued its cooperation with the EUDA based on a 2019 working arrangement as well as in the context of the IPA8 project.

## **7. Recommendations**

Albania has taken action to address most of the Commission's previous recommendations. However, further progress is needed, and the following issues need to be addressed:

- a) Align Albania's visa policy with the EU list of visa-required countries. Pending full alignment, a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks, should be introduced either via operational and/or administrative initiatives (e.g., at border crossing points) or by national legislation as a minimal temporary measure expected from Albania.
- b) Continue and strengthen initiatives to address the issue of unfounded asylum applications in the EU, in particular concerning unaccompanied minors.

## BOSNIA AND HERZEGOVINA

### 1. Visa policy alignment

Bosnia and Herzegovina has a visa-free regime with seven countries that are on the EU list of visa-required countries: Azerbaijan, China, Kuwait, Qatar, Russia, Saudi Arabia (seasonal) and Türkiye.

To further align with EU visa policy, in September 2023 Bosnia and Herzegovina introduced a visa requirement for citizens of Bahrain and, in March 2024, for citizens of Oman, thus reducing its list of visa-free regimes not in line with EU visa policy. However, Bosnia and Herzegovina also renewed its seasonal 3-month visa-free regime, from June to September 2024, for a maximum of 30 days, for citizens of Saudi Arabia.

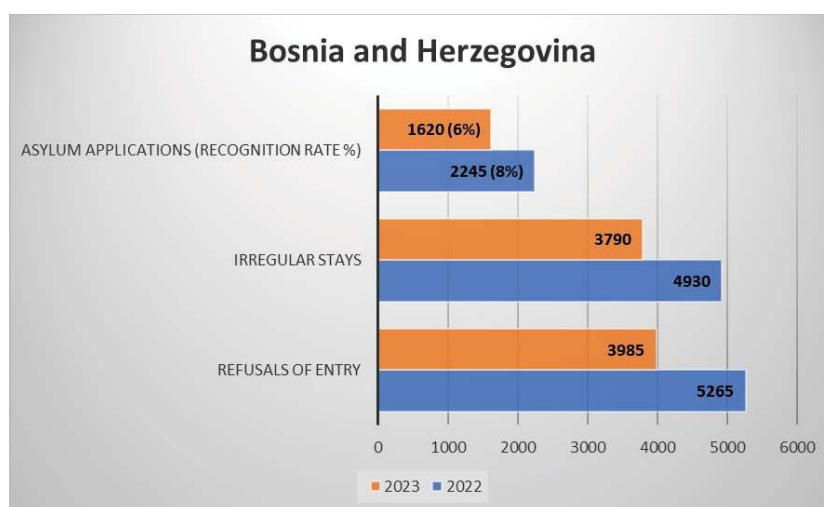
The lack of alignment of Bosnia and Herzegovina visa policy with the EU visa policy contributes to an increased risk of irregular migration to the EU via the Western Balkans route. The Commission expects further progress on visa policy alignment from Bosnia and Herzegovina and strict commitments to be made in the context of Bosnia and Herzegovina's Reform Agenda under the Growth Plan. Pending full alignment, a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks, is a necessary temporary minimal measure.

### 2. Monitoring trends in irregular migration, applications for international protection, returns and readmission

In 2023, 1 620 applications for international protection were submitted by nationals of Bosnia and Herzegovina in Member States, 28% less than in 2022 (2 245), continuing the positive trend of decrease since 2021. The recognition rate decreased from 8% in 2022 to 6% in 2023.

In 2023, Member States reported 20 irregular border crossings by nationals of Bosnia and Herzegovina at the EU's external borders, compared with 22 in 2022. In 2023, the number of nationals of Bosnia and Herzegovina found to be irregularly staying in Member States dropped by 23%, with 3 790 irregular stays in 2023 compared with 4 930 in 2022. The number of refusals of entry noticeably decreased in 2023 (by 24%), from 5 265 cases in 2022 to 3 985 in 2023.

The number of return decisions issued to nationals of Bosnia and Herzegovina (2 430 in 2023 against 2 885 in 2022) and the number of people returned (1210 in 2023 against 1280 in 2022) dropped respectively by 16% and 5%. The return rate continued to increase from 44% in 2022 to 50% in 2023.



Source: Eurostat

### **3. Cooperation on migration, border management and readmission**

A new Law on foreigners entered into force in September 2023. Bosnia and Herzegovina is implementing its action plan on migration and asylum 2021-2025 and its strategy and action plan for integrated border management for 2019-2023. A new strategy for integrated border management for 2024-2029 was pending adoption as of mid-2024. A draft Law on border control, aimed at aligning with the EU *acquis*, remains to be adopted as of mid-2024.

Negotiations between Bosnia and Herzegovina and the European Commission for the Frontex Status Agreement started in February 2024 and finalised in September 2024. The signature of the Agreement will follow shortly. The Frontex liaison officer based in Belgrade continues to also cover Bosnia and Herzegovina.

Bosnia and Herzegovina continued overall close cooperation on readmission based on an agreement with the EU, which is implemented in an efficient manner as far as most Member States are concerned. Some Member States signalled insufficient cooperation by Bosnia and Herzegovina on readmission in 2023 (although improving from 2022), resulting in the positive treatment of 55% requests.

Despite a general decrease in irregular border crossings to the EU via the Western Balkan route, the sub-route from Bosnia and Herzegovina to Croatia experienced an increasing trend, with roughly 30% more crossings in the first nine months of 2024 compared to the same period of 2023. In the first nine months of 2024, almost 90% of all irregular border crossings on the Western Balkans route were recorded along this border. Following the closure of the sub-route from Serbia to Hungary, criminal networks relocated their operations to the one from Bosnia and Herzegovina to Croatia.

The number of irregular migrants intercepted by the authorities of Bosnia and Herzegovina in 2023 increased by 25% compared with 2022. The most numerous were citizens of Afghanistan, Morocco, Syria, Pakistan, Türkiye (including those who use the possibility to travel to Bosnia and Herzegovina visa-free), Bangladesh and Iran.

Croatia, the only Member State with a border with Bosnia and Herzegovina, is particularly affected by irregular arrivals. Croatia cooperates intensively on border management with Bosnia and Herzegovina, including through joint patrols. Both countries also participate in the Europol supported Task Force ZeBRA, which targets organised crime groups involved in migrant smuggling. Other EU Member States also provided support to Bosnia and Herzegovina on migration and border management, including training (e.g. on the use of biometrics) and technical expertise for the upcoming setup of an Advance Passenger Information and Passenger Name Record (API/PNR) system and of a document database to improve the detection of falsified or forged documents (both in progress).

Bosnia and Herzegovina continued the fruitful cooperation with the European Union Asylum Agency (EUAA), although a roadmap for the period 2024-2025 has not yet been adopted.

### **4. Cooperation on security**

Bosnia and Herzegovina continued its cooperation with Europol. In June 2023, the contact point was put into operation and in July a liaison officer was deployed in the Hague. This is an important step. Bosnia and Herzegovina's use of Europol products and services has increased since, with intensive exchange of information via SIENA communication system, mainly on the fight against drug trafficking, financial crimes, combatting organised crime, migrant smuggling and prevention of terrorism. Bosnia and Herzegovina increased its participation in EMPACT, with 12 operational actions

in 2023. Intensive cooperation on the fight against trafficking in weapons and munitions was carried out via EMPACT firearms priority. Cooperation with EU Member States via Interpol also continued.

Bosnia and Herzegovina continued to implement its anti-terrorism strategy for 2021-2026; action plans were adopted at all levels of government in 2023. Implementation of the bilateral arrangement with the EU in the framework of the Joint Action Plan on Counterterrorism advanced.

A strategy against terrorism and violent extremism is in place since November 2022, with action plans adopted in 2023. In February 2024, Bosnia and Herzegovina adopted a Law on Anti-Money Laundering and Counterterrorism Financing (AML/CTF), improving provisions on risk assessment and providing for a permanent coordinating body, which aims to align with the EU *acquis*, as well as a risk assessment for AML/CFT on virtual assets and an action plan for 2024-2027.

Bosnia and Herzegovina continued its cooperation with the EUDA in the context of the IPA8 project.

## **5. Recommendations**

Bosnia and Herzegovina has taken some action to address the Commission's previous recommendations. However, further progress is needed, and the following issues need to be addressed:

- a) Align Bosnia and Herzegovina's visa policy with the EU list of visa-required countries. Pending full alignment, additional security measures including a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks, should be introduced either via operational and/or administrative initiatives (e.g., at border crossing points) or by national legislation as a minimal temporary measure expected from Bosnia and Herzegovina.
- b) Swiftly sign and ratify the Frontex status agreement with the EU.
- c) Improve coordination of border management, urgently addressing the issue of irregular border crossings on the sub-route passing through Bosnia and Herzegovina.

## REPUBLIC OF MOLDOVA

### 1. Visa alignment

Moldova has a visa-free regime with 11 countries that are on the EU list of visa-required countries: Armenia, Azerbaijan, Belarus, Cuba, Kazakhstan, Kyrgyzstan, Qatar, Russia, Tajikistan, Türkiye and Uzbekistan.

There was no progress towards more alignment with EU visa policy in 2023, but in April 2024 the Moldova-Ecuador Agreement on visa-free travel was terminated. In its contribution for the preparation of this report, Moldova declared that it will fully align its visa policy with the EU's visa policy by the date of accession.

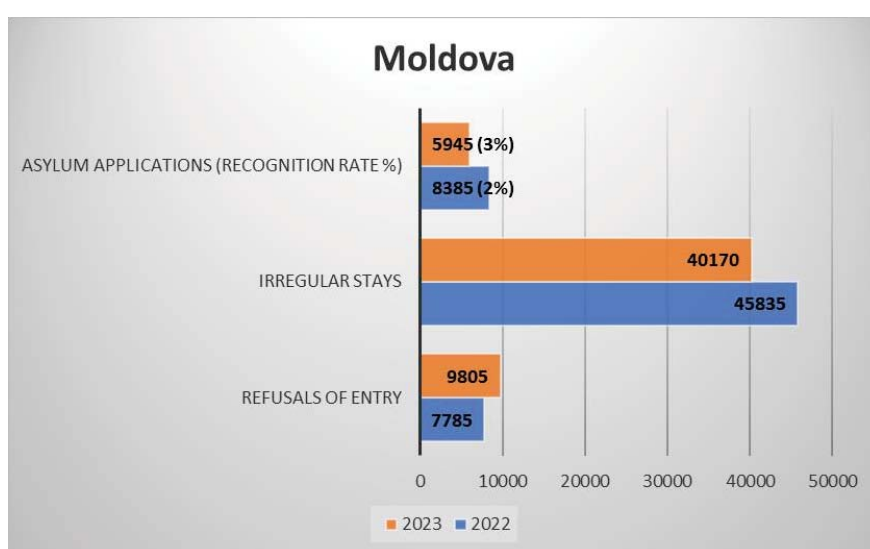
The Commission expects Moldova to make further progress on visa policy alignment. Pending full alignment, a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks, would be a minimal temporary measure expected from Moldova.

### 2. Monitoring trends in irregular migration, applications for international protection, returns and readmission

The number of applications for international protection by Moldovan nationals in Member States decreased by 29% between 2022 and 2023, with 8 385 applications lodged in 2022 against 5 945 applications in 2023. The recognition rate was 3% in 2023, compared to 2% in 2022.

In 2023, attempts by Moldovan nationals to cross the EU's external borders irregularly remained low (20), (29 in 2022). The number of Moldovan nationals found to be irregularly staying dropped from 45 835 in 2022 to 40 170 in 2023 (a decrease of 12%). In 2023, the number of Moldovan nationals being refused entry in Member States was 9 805, which is 26% more than in 2022 (7 785).

In 2023, the number of return orders issued to Moldovan nationals remained stable (9 120 in 2023 compared to 9 125 in 2022), while the number of returns increased by 37.5% (3 610 in 2023 compared with 2 725 in 2022) which contributed to the higher return rate of 40% in 2023 compared to 29% in 2022.



Source: Eurostat

### **3. Cooperation on migration, border management and readmission**

Moldova continued to foster international cooperation on fighting cross-border crime in the framework of EMPACT. Moldova continued close cooperation with different EU actors - Frontex, Europol, CEPOL, EUDA and the European Union Border Assistance Mission to Moldova and Ukraine (EUBAM) - including through the EU Support Hub for Internal Security and Border Management in Moldova.

On border management, in 2023 Moldova continued enhanced cooperation with Frontex on the basis of the Status Agreement from March 2022, which enables the agency to deploy European Border and Coast Guard standing corps officers with executive powers. Amongst the concrete results were Joint Operations (JO) Moldova 2023 (ended) and 2024 (ongoing), at the air border (Chisinau Airport) and the land borders with Romania and Ukraine. It is the first Status Agreement and the first joint operation with executive powers in an Eastern Partnership country. Regular exchange of information and intelligence-sharing is carried out via Frontex-led regional platform Eastern Partnership Risk Analysis Network (EaP-RAN). In addition, ten Moldovan observers were deployed for extended periods to selected airports in the EU. IBM capacity building-related initiatives were rolled out between Moldova and Frontex based on the bilateral Cooperation Plan for 2022-2024.

Since July 2022, the Frontex Liaison Officer to the Eastern Partnership countries, initially intended to be based in Kyiv, has been temporarily deployed to Chisinau instead.

Cooperation with EU Member States on a bilateral basis also continued, including deployment of Moldovan border police agents in an EU Member State airport and on the external land border of another EU Member State, training, technical expertise and provision of significant quantities of technical equipment implemented through EU-funded projects.

In 2023, EUR 4 million were reallocated to national authorities under an EU-funded project addressing the impact of the displacement crisis, in order to strengthen the local border management capacities through provision of equipment, infrastructure and relevant training.

Moldova's cooperation on readmission and returns was rated as excellent both by Frontex, and numerous Member States. Travel documents were delivered quickly and efficiently; Moldovan authorities offered also full and effective cooperation with return operations, including by charter flights. In November 2023, Moldovan escorts received the Collecting Return Operation training to enable them to participate in this operational activity from 2024.

### **4. Cooperation on security**

In the domain of security, in 2023 Moldova for the second year in a row had to face spillover effects of Russia's war of aggression against Ukraine, as well as increased hybrid warfare, cybersecurity attacks and various forms of transborder crime. In 2024, Moldova has continued to face unprecedented foreign interference from Russia and its proxies, especially in the context of the 2024 presidential elections and referendum on EU accession.

During 2023, the EU-Moldova cooperation on security continued to intensify. One element of this cooperation was the Moldova – EU Hub for internal security and on border management ("EU Security Hub"), launched in 2022. In 2023, the EU Security Hub addressed the following priority areas: countering terrorism and violent extremism, hybrid threats and drugs trafficking. In May 2023, a civilian CSDP - EU Partnership Mission (EUPM) was launched. Its mandate is to enhance the



resilience of Moldovan security sector in the areas of crisis management and hybrid threats. In addition to advice and training, the Mission has a Project Cell offering targeted operational support.

The cooperation with Europol continued and Moldova is encouraged to take further advantage of existing tools. A Moldovan liaison officer is deployed in Europol headquarters and, since March 2023, selected Europol officers are deployed in Moldova to provide operational support and exchange best practices, especially in the domain of cross-border organised crime. Operational actions against firearms, drugs and trafficking in human beings were carried out with Europol, under EMPACT and the EU Security Hub. Moldova used Europol methodology for the Serious and Organised Crime Threat Assessment (SOCTA) to create national assessments of serious and organised crime threats in years 2022-23. The exchange of information with Europol intensified in 2023. Moldova is currently executing EMPACT Operational Action Plans for 2024 – 2025.

Between March 2023 and March 2024, five Joint Investigation Teams composed of Moldovan and EU Member States personnel, with the involvement of Eurojust, carried operational actions both in Moldova and in concerned EU Member States. In July 2023, Moldova appointed a Liaison Prosecutor at Eurojust for a period of six months and subsequently extended until 31 July 2024.

In 2023, Moldova had a very intensive information exchange with Interpol. The agency also carried out numerous training programmes for Moldova police personnel.

Cooperation on a bilateral basis with EU Member States continued. Assistance offered to Moldova included training of law enforcement, technical expertise, knowledge sharing and delivery of specialised software. Three EU Member States cooperated with Moldova as part of the Southeast European Law Enforcement Centre (SELEC) cooperation, with law enforcement and security agencies carrying numerous joint actions/investigations.

In the field of the fight against corruption, a new law on the protection of whistle-blowers came into effect in October 2023 and in December 2023 Moldova adopted National Integrity and Anti-Corruption Programme for 2024 – 2028.

Moldova continued its cooperation with the EUDA based on a 2012 Memorandum of Understanding as well as in the context of the EU4MD II project.

## **5. Recommendations**

Moldova has taken action to address the Commission's previous recommendations. However, further progress is needed, and the following issues need to be addressed:

- a) Align Moldova's visa policy with the EU list of visa-required countries, in particular with regard to countries presenting irregular migration or security risks to the EU.
- b) Continue efforts to combat organised crime, with particular attention to tackling smuggling of firearms and drugs, combatting trafficking in human beings and the financial aspects of organised crime.

## MONTENEGRO

### 1. Visa policy alignment

Montenegro has a visa-free regime with 11 countries that are on the EU list of visa-required countries, of which seven enjoy a permanent visa exemption (Azerbaijan, Belarus, China<sup>29</sup>, Kuwait, Qatar, Russia<sup>30</sup>, Türkiye) and four have a seasonal visa waiver to enter Montenegro for touristic reasons between April and October (Armenia, Egypt, Kazakhstan, Saudi Arabia).

Seasonal visa waivers, introduced in April 2023 with Armenia, Egypt, Kazakhstan, Saudi Arabia and Uzbekistan, ceased to have effect on 31 October 2023. All but for Uzbekistan were renewed in 2024 and are effective from 1 May to 31 October 2024. The seasonal visa waivers allow citizens of the four above-mentioned countries to enter Montenegro without a visa for 30 days under certain conditions. Furthermore, a seasonal visa waiver for a maximum period of 10 days was also introduced for certain third-country nationals holding a residence permit of the United Arab Emirates for at least three years prior.

The lack of alignment of Montenegro visa policy with EU visa policy contributes to an increased risk of irregular migration to the EU via the Western Balkans route. The Commission expects from Montenegro further progress on visa policy alignment. As part of its Reform Agenda under the Growth Plan, Montenegro has committed to further align with the EU list of visa-required countries, reach interoperability between its systems and databases used in the current visa approval system, start working on collecting biometric data as well as introduce additional security measures to screen visa-free arrivals of third-country nationals.

Pending full alignment, a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks, would be a minimal temporary measure expected from Montenegro.

### 2. Monitoring trends in irregular migration, applications for international protection, returns and readmission

The number of applications for international protection lodged in Member States by nationals of Montenegro decreased by 11% between 2022 and 2023, with 375 applications lodged in 2023 compared with 420 in 2022. The recognition rate of 3% in 2023 remained stable compared to the previous year (4%).

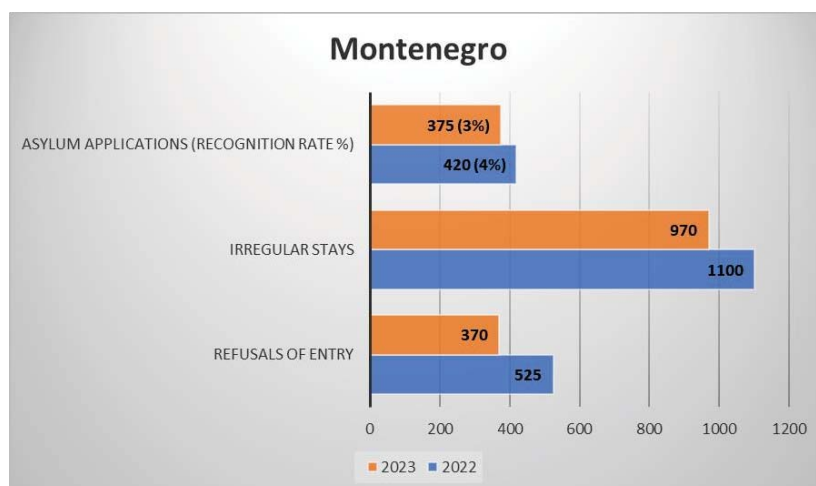
Member States reported four irregular border crossings in 2023 by nationals of Montenegro compared to one in 2022. The number of Montenegrin nationals found to be irregularly staying in 2023 decreased by 12% (from 1 100 in 2022 to 970 in 2023). In 2023, the number of refusals of entry for nationals of Montenegro in Member States dropped by 29.5% (370 refusals in 2023 compared with 525 in 2022).

The number of return decisions issued to the country's nationals decreased by 7% (425 in 2023 against 465 in 2022), and the number of people returned dropped by 26% (215 in 2023 against 290 in 2022). The return rate respectively decreased from 62% in 2022 to 51% in 2023 which reversed the positive trend of the past years.

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<sup>29</sup> Nationals of the China with a valid travel document may stay in Montenegro up to 30 days, as an organised tourist group that together enters, stays and leaves Montenegro, provided they have a proof of paid tourist arrangement and proof of provided return to the country of origin or transit.

<sup>30</sup> Nationals of Belarus and Russia may stay in Montenegro up to 30 days, with a valid travel document issued by those countries.



Source: Eurostat

### 3. Cooperation on migration, border management and readmission

Montenegro cooperated in a satisfactory manner on readmission with the EU. No issues were reported in 2023 and no request has been submitted by Member States in relation to the identification and acquisition of travel documents, as relevant provisions in the EU-Montenegro Readmission Agreement are considered to be implemented in an efficient manner so far and no further assistance on this aspect is required by Frontex.

Following the launch of Frontex's yearly call to Western Balkan partner institutions to take part in Frontex-managed Country Working Group (CWG) meetings<sup>31</sup> as observers, Montenegro was granted observer status to CWG Algeria, Bangladesh, Morocco, and Iraq.

Close cooperation on readmission is also reported with third countries in the Western Balkans. Montenegro currently does not have readmission agreements with any of the main countries of origin of migrants, despite recent outreach efforts.

As regards cooperation with Frontex, in May 2023, a new Status Agreement was signed between Montenegro and the European Union on operational activities carried out by Frontex. The agreement enables the organization of joint operations and deployment of Frontex border management teams in Montenegro. This includes conducting operational activities at any border crossing and anywhere in the territory of Montenegro (not just at the EU external border, as previously), where officers of the European Border and Coast Guard standing corps work alongside Montenegro's border police officers to perform border control duties, with the possibility of exercising executive powers. A Working Arrangement is underway to define the governance for the use of the EUROSUR framework for operational activities. The implementation of the new Agreement began on 1 November 2023, through the expanded Joint Operation "JO Montenegro Land 2023". The 2024 JO adds the possibility of activating ad-hoc land and sea border crossing points in cooperation with Frontex.

The close cooperation with Frontex further strengthened the capacity of Montenegro's Coordination Centre. The internal organisation of Montenegro's Coordination Centre was further developed, and a number of vehicles and patrol boats were acquired, increasing the Centre's operational capacity.

<sup>31</sup> Third country-specific meetings composed of and chaired by Member State representatives (and co-chaired by Frontex) for the exchange of information in the field of return.

Montenegro continued to implement its strategy on integrated border management and its ‘Schengen action plan’. Border management equipment continued to be progressively upgraded in accordance with the ‘Schengen action plan’.

Montenegro continued cooperation with the EUAA within the framework of the 2021 Joint Roadmap, whose lifespan has been expanded until the next one is concluded. The needs assessment for the second Roadmap took place in spring 2024. The intensive cooperation between Montenegro and EUAA has already produced significant results through the implementation of the Roadmap and is believed to have strengthened Montenegro’s asylum system.

As regards further work in the area of asylum, Montenegro is working towards establishing a system for the of electronic identification and registration of migrants through the Project “Individual measure to strengthen the capacity of integrated border management in Montenegro”, financed by the EU, and implemented by the IOM.

#### **4. Cooperation on security**

Montenegro continued to cooperate actively with Interpol, Europol, CEPOL and EU Member States. In the field of international police cooperation with Europol, during 2023, efforts were focused on combating transnational cocaine trafficking, organised criminal groups, including serious crimes and corruption. In 2023, Montenegro participated in 54 operational actions across 10 EMPACT Operational Action Plans. The regular exchange of information with Europol through SIENA continued. A liaison officer from Montenegro has been deployed at Europol HQ since 2015.

In order to develop analytical data and intelligence on smuggling networks, a Group for Suppression of Human Smuggling and Cross-Border Crime has been established within the Department for Intelligence Affairs and Risk Analysis of the Border Police. In 2023, the border police started operational-investigative actions, in cooperation with the competent prosecutors and the criminal police, leading to the opening of several new SIENA cases aimed at investigating groups of migrant smugglers that operate through Montenegro’s territory.

Montenegro continues to implement measures of the EU-Montenegro Implementing Arrangement of the Joint Action Plan on Counter-Terrorism for the Western Balkans.

In November 2023, an updated Bilateral Arrangement between Montenegro and the EU for the implementation of the Joint Action Plan of Western Balkan partners to combat terrorism was signed. Montenegro continues the implementation of joint activities among individual Western Balkan partners to combat terrorism.

Montenegro continued its cooperation with the EUDA in the context of the IPA8 project.

#### **5. Investor citizenship schemes**

As reported in the sixth report under the visa suspension mechanism, Montenegro’s investor citizenship scheme was terminated on 31 December 2022, but the Montenegrin authorities have continued to process applications for citizenship submitted before the termination date.

Montenegro processed 423 applications in 2023 (for 423 applicants and 927 family members) and granted citizenship to 701 individuals. Of these 701 individuals, 396 hold the citizenship of the Russian Federation and 65 of the People’s Republic of China. Citizenship was granted to individuals holding the nationality of other visa-required third countries (South Africa, Türkiye, Lebanon, Pakistan, India, Belarus, Philippines, Indonesia, Cambodia, Kazakhstan, Malaysia, Nigeria, Saudi Arabia, Tunisia, Uzbekistan). Montenegro reported that for all persons who are subsequently found to have been

granted Montenegrin citizenship and are on the list of persons subject to international restrictive measures, the government is committed to initiating proceedings for the loss of Montenegrin citizenship by force of law.

The Commission will continue to monitor any developments in this regard until all pending applications have been processed.

## **6. Recommendations**

Montenegro has taken action to address the Commission's previous recommendations. However, further progress is needed, and the following issues need to be addressed:

- a) Align Montenegro's visa policy with the EU list of visa-required countries. Pending full alignment, security measures including a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks should be introduced either via operational and/or administrative initiatives (e.g., at border crossing points) or by national legislation as a minimal temporary measure expected from Montenegro.
- b) Ensure that pending applications under the recently terminated investor citizenship scheme are screened and processed in accordance with the highest possible security standards and that the citizenship granted via that scheme to persons subject to international restrictive measures are revoked.

## NORTH MACEDONIA

### 1. Visa policy alignment

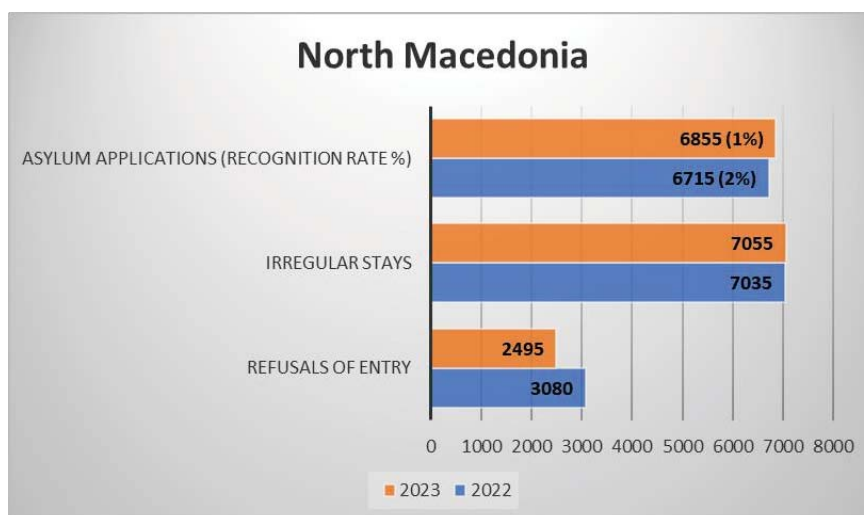
There is still only one third country which is visa-free for North Macedonia and that is visa-required for the EU, i.e., Türkiye. This situation did not change compared to the 6<sup>th</sup> report under the visa suspension mechanism. All other measures taken in 2023 to make progress on visa policy alignment have been maintained in 2024. In particular, in January 2023, North Macedonia reintroduced a visa requirement for nationals of Botswana and Cuba. The decision to temporarily allow nationals of Azerbaijan to enter North Macedonia without a visa expired in March 2023 and was not extended.

### 2. Monitoring trends in irregular migration, applications for international protection, returns and readmission

In 2023, the number of applications for international protection in Member States by nationals of North Macedonia increased by 2%, with 6 855 applications lodged in 2023 compared with 6 715 in 2022. The recognition rate was 1% (compared to 2% in 2022).

In 2023, 12 irregular border crossings by nationals of North Macedonia were reported at EU level against 9 in 2022. In 2023, the number of nationals of North Macedonia found to be irregularly staying remained stable compared with the previous year, with 7 055 irregular stays in 2023 against 7 035 in 2022. The number of refusals of entry decreased by 19%, from 3 080 refusals in 2022 to 2 495 in 2023.

Last year marked for the first time a decreasing trend in the number of return decisions issued to nationals of North Macedonia (3 015 in 2023 against 3 150 in 2022, a 4% decrease), while the number of persons returned increased by 20.5% (1 965 in 2023 against 1 630 in 2022). Member States reported good cooperation on return and readmission and the return rate increased in 2023 with 65% of returns compared with 52% in 2022.



Source: Eurostat

### 3. Cooperation on migration, border management and readmission

Following the 2022 Status Agreement, cooperation on border management between North Macedonia and Frontex is at a high level without changes in the reporting period (Frontex officers were deployed in North Macedonia in 2023 following the agreement). The status agreement is being implemented smoothly through the realisation of the Frontex “Joint Operation North Macedonia”. There is also regular participation in other Joint Operations of Frontex as well as in Joint Action Days.



Overall, Member States reported good cooperation on border management and readmission, even if performance at land borders could be improved and readmission could be improved both in terms of outcome and timing.

In 2023 Member States have not required any further assistance of Frontex on identification and acquisition of travel documents. This could be an indication that the relevant aspects of the EU-North Macedonia Readmission Agreement are implemented in an efficient manner. Following the launch of Frontex yearly call to Western Balkan partner institutions to take part at Frontex-managed Country Working Group (CWG) meetings as observers, North Macedonia was granted observer status to CWG Algeria, Bangladesh, Morocco, and Iraq.

The third generation of the Roadmap for Cooperation agreed between the EUAA and North Macedonia for the period 2023 – 2025 is in place and remains an important tool to strengthen the asylum and reception system.

In October 2024, North Macedonia joined the European Migration Network (network of EU migration and asylum experts) in the capacity of an observer country.

#### **4. Cooperation on security**

The level of cooperation and exchange of information with Europol is good and increased during 2023. A liaison officer from North Macedonia has been deployed at Europol since 2015. Law enforcement authorities of North Macedonia are providing information on weapons seized and suspects arrested, and they are providing feedback when requested in operational activities. North Macedonia is also participating in EMPACT.

During 2023, the regular exchange of information by criminal areas between North Macedonia and Europol recorded a significant increase compared to 2022. The exchange of information through SIENA and CT SIENA also increased (the latter by 38% compared to 2022). North Macedonia continued to participate in Europol analytical projects launched in the previous years and joined three more projects between 2023 and 2024.

In the current period, the liaison officer of North Macedonia assigned to Europol actively attended weekly meetings related to the fight against terrorism.

North Macedonia continued its cooperation with the EUDA in the context of the IPA8 project.

#### **5. Investor citizenship schemes**

The Law on Citizenship of North Macedonia allows for the acquisition of citizenship without any previous residence requirements for persons who represent a ‘special economic interest’ for the country. No amendments were made to this law in 2023 and 2024. In 2023, no decisions were made on applications for citizenship of particular economic interest, while five requests were submitted and their assessment is ongoing. The Commission reiterates that the implementation of this law should not lead to a systematic granting of citizenship in return for investment, as it may be used to bypass the EU short-stay visa procedure and the in-depth assessment of individual migratory and security risks it entails and can therefore have an impact on the visa-free regime.

#### **6. Recommendations**

North Macedonia has taken action to address most of the Commission’s previous recommendations. However, further progress is needed, and the following issues need to be addressed:

- a) Complete the full alignment of visa policy of North Macedonia with the EU list of visa-required countries. Pending full alignment, a more rigorous screening of visa-free arrivals of third-country nationals should be introduced either via operational and/or administrative initiatives (e.g., at border crossing points) or by national legislation as a minimal temporary measure expected from North Macedonia.
- b) Ensure that applications for citizenship under the ‘special economic interest’ law are handled with thorough background vetting on applicants and refrain from enabling systematic acquisition of citizenship for special economic interest.

## SERBIA

### 1. Visa policy alignment

Serbia has a visa-free regime with 16 countries that are on the EU list of visa-required countries: Armenia, Azerbaijan, Bahrain, Belarus, China, Indonesia, Jamaica, Kyrgyzstan, Kuwait, Kazakhstan, Mongolia, Oman, Qatar, Russia, Suriname, and Türkiye.

In an effort to better align its visa policy with the one of the EU, between October 2022 to April 2023, Serbia decided to introduce a full visa regime for citizens of Bolivia, Burundi, Guinea-Bissau, Cuba, India and Tunisia.

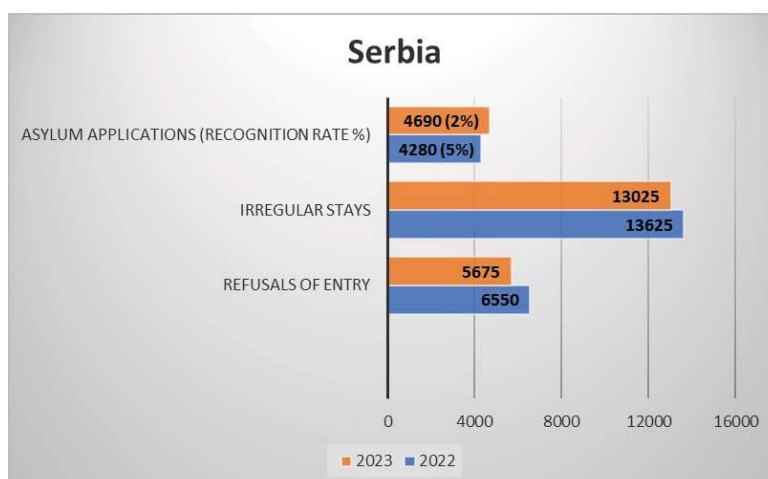
In November 2023, Serbia adopted a ‘plan for the harmonization of the visa regime with EU visa policy’ specifying that alignment concerning countries which are visa required in the EU will take place one year or six months before Serbia’s accession to EU. Nevertheless, as the lack of visa policy alignment contributes to an increased risk of irregular migration to the EU on the Western Balkans route, the Commission expects faster progress from Serbia on visa policy alignment. As part of its Reform Agenda under the Growth Plan, Serbia has committed to further align with the EU list of visa-required countries. Pending full alignment, a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks, is a minimal temporary measure expected from Serbia.

### 2. Monitoring trends in irregular migration, applications for international protection, returns and readmission

In 2023, 4 690 applications for international protection were submitted by Serbian nationals in Member States, an increase of 9.5% compared to 2022 (4 280) which maintains the trend from the previous years. The recognition rate decreased from 5% in 2022 to 2% in 2023.

Irregular crossings of the EU external borders by Serbian nationals dropped by 34% from 32 in 2022 to 21 in 2023. The number of Serbian nationals found to be staying irregularly in Member States continued the downward trend with 13 025 people in 2023 compared with 13 625 in 2022 (a decrease of 4%). In 2023, the number of Serbian nationals refused entry marked the same trend and decreased by 13% (6 550 in 2022 against 5 675 in 2023).

The number of return decisions issued to Serbian nationals rose by 4% (5 835 in 2023 compared to 5 630 in 2022). Similarly, the number of people returned increased by 5% (3 505 in 2023 compared to 3 245 in 2022) and the return rate increased from 58% in 2022 to 60% in 2023.



Source: Eurostat

### **3. Cooperation on migration, border management and readmission**

Serbia continued to engage positively on the implementation of the EU Action Plan on the Western Balkans. In 2023, Serbia continued to implement a new integrated border management strategy for the period 2022-2027 and an action plan for 2022-2024. Serbian efforts to secure its borders and to tackle migrant smugglers via dedicated special police operations since October 2023 produced a broad deterrent effect across the region, currently mitigating pressure and influencing migration routes. A shift towards the Bosnia and Herzegovina-Croatia corridor has been observed, largely due to the difficulties in transiting Serbia and the gradual adaptation of smugglers' operations to the new realities on the ground.

Serbia continued cooperation on migration and border management with Frontex based on a Working Arrangement and a Status Agreement; the latter allowing for deployments of officers of the European Border and Coast Guard standing corps with executive powers via joint operations. A new Status Agreement was signed on 25 June 2024. There is a Frontex Liaison Officer based in Belgrade with a regional mandate covering Serbia, Bosnia and Herzegovina and Montenegro. Frontex and participating EU Member States continued deployment of Standing Corps officers to Serbian land border sections with Bulgaria and Hungary.

Serbia continued cooperation with the EUAA. The relevant "Roadmap" was extended for the year 2023, as the basis for cooperation with EUAA. The third Roadmap for cooperation for the period 2024-2026 has been developed and its final endorsement is pending.

In March 2023 Serbia joined the European Migration Network (network of EU migration and asylum experts) in the capacity of an observer country.

Serbia continued cooperation with EU Member States on migration and border management on the basis of bilateral/multilateral agreements. Examples of cooperation included equipment/technical assistance, exchange of information/statistics (including reports on counterfeit documents and cross-border crime), risk analysis, joint border patrols (1 342 such patrols with Bulgaria, Croatia, Hungary and Romania), training courses, etc. In 2023, the Serbia-Austria-Hungary Trilateral Initiative (based on an agreement from November 2022) was launched, to reinforce the controls at Serbia's border with North Macedonia with the creation of a common task force composed of Austrian, Hungarian and Serbian personnel, and by pooling together the equipment provided by the three countries.

On readmission, Frontex and EU Member States reported overall good cooperation with Serbia. However, as for the return of third-country nationals (the most numerous concerned citizens of Afghanistan, Morocco and Syria), only half of the requests presented by EU Member States (1 090 out of 2 198) were accepted by Serbian authorities.

### **4. Cooperation on security**

Serbia continued its close cooperation with Europol, especially in the areas of major crimes, organised crime and the fight against terrorism. Serbia maintains a Liaison Officer in Europol headquarters. Operational cooperation with EU Member States coordinated by Europol was intensive, including via Joint Investigation Teams and dedicated multinational task forces, e.g. Operational Task Force RAPAX, dedicated to the fight against trafficking of human beings for sexual exploitation between Europe and Latin America.

Serbia continued its participation in EMPACT. An important part of the cooperation with Europol includes regular information exchange via SIENA. Serbian police also continued to provide

information to Europol databases and Analytical Projects; the number of Serbian contributions increased in 2023 by 10% compared with 2022.

Serbia's cooperation with CEPOL was very intensive in 2023, both via training and in staff exchanges, with a focus on cybercrime, cryptocurrencies, fake news/disinformation and digital skills for police personnel.

Eurojust and Serbia have continued their close cooperation in criminal matters, notably through the Serbian Liaison Prosecutor. Serbia also participated in Joint Investigation Teams supported by Eurojust.

Serbia continued close cooperation on security with Interpol. Cooperation with neighbouring EU Member States, especially Croatia and Romania, was intensive concerning serious crimes in border areas, including migrant smuggling and smuggling of drugs, weapons and ammunitions.

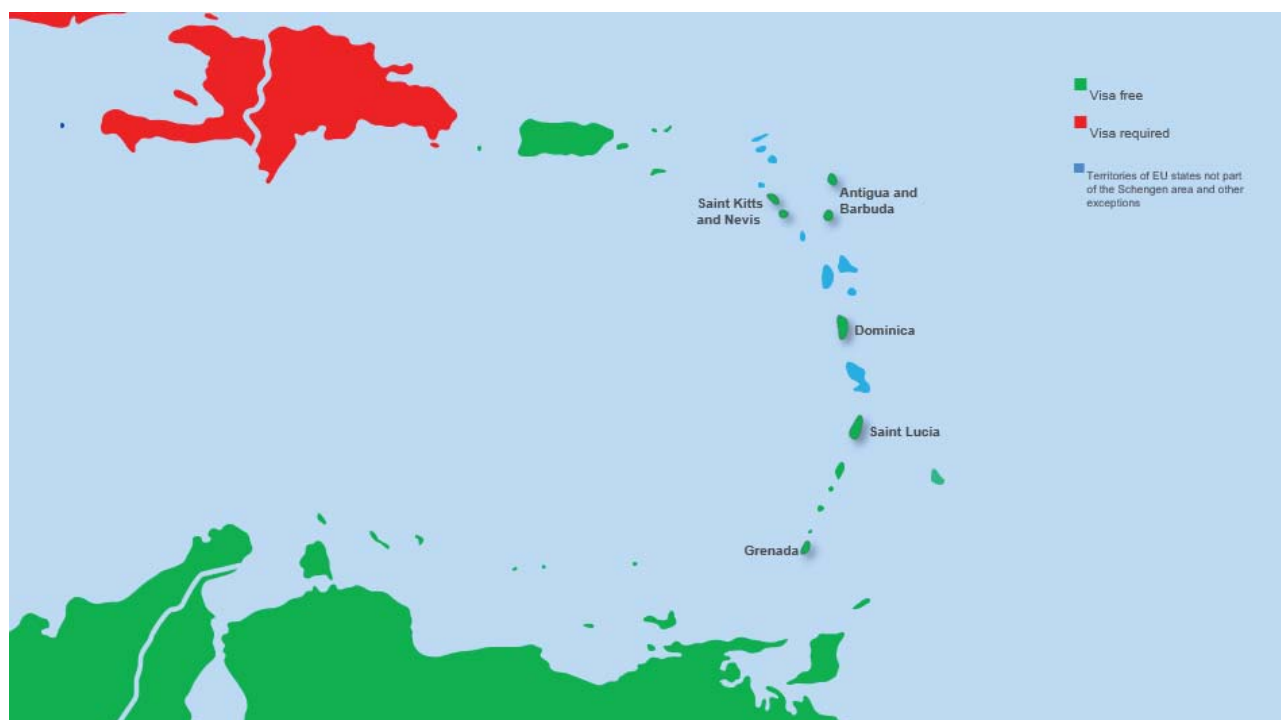
Serbia continued its cooperation with the EUDA based on a 2020 working arrangement as well as in the context of the IPA8 project.

## **5. Recommendations**

Serbia has taken action to address the Commission's previous recommendations. However, further progress is needed, and the following issues need to be addressed:

- a) Align Serbia's visa policy with the EU list of visa-required countries. Pending full alignment, a more rigorous screening of visa-free arrivals of third-country nationals, in particular those from countries presenting security or irregular migration risks, should be introduced via operational and/or administrative initiatives (e.g., at border crossing points) as a minimal temporary measure expected from Serbia.
- b) Fully implement the third-country national's clause of the EU-Serbia readmission agreement.

## II. EASTERN CARIBBEAN



Since 2020, the Commission has been engaging with the five visa-free Eastern Caribbean countries operating investor citizenship schemes (**Antigua and Barbuda, Dominica, Grenada, Saint Kitts and Nevis, and Saint Lucia**) to obtain relevant information and data on those schemes.

All five countries operate different investor citizenship schemes, which consist mainly in either direct contributions to the State budget or investments in large infrastructure, utilities or real estate projects. The first option is normally cheaper, while the real estate option is normally more expensive. The process to apply for citizenship and the due diligence and security screening used are similar across the five countries, with five main steps:

- 1) licensed marketing agents are trusted to find interested investors in third countries.
- 2) interested investors file their applications through authorised local agents, who submit the applications and supporting documents to the Citizenship-by-investment (CBI) unit.
- 3) a three-layer vetting process is conducted on the origin of the funds (by the banks), on the identity, security and reputational profile of the applicants (by international due diligence firms) and on the security and immigration risks (by the CARICOM Implementation Agency for Crime and Security's Joint Regional Communications Centre - JRCC).
- 4) based on the above-mentioned checks, the CBI unit approves or rejects the application.
- 5) for approved applications, the final decision on the granting of citizenship is taken by competent Minister.

As presented in the Sixth Visa suspension mechanism report of October 2023, there are several elements emerging from the Commission's assessment, suggesting that the five countries' screening and vetting procedures may not be sufficiently thorough to ensure the rejection of applications from individuals who could be a potential security risk for the EU once acquiring the citizenship of those countries and consequently visa-free access to the EU.



None of the five countries require residence or even physical presence in the country before citizenship is granted<sup>32</sup>. This implies that the biometrics of successful applicants are not registered. Also, to various extents, all five countries allow successful applicants for the possibility to change their name after having obtained citizenship by investment. In Antigua and Barbuda and Dominica, it is allowed as of 5 years after obtaining citizenship; in Grenada after one year. However, the old name is kept in the passport under the heading ‘observations’.

Since the publication of the sixth report, for all countries’ schemes **the number of successful applicants has continued to increase, while the number of rejections remain relatively low**, despite some increasing trends for some countries. The table below includes the data provided to the Commission by the five countries<sup>33</sup>.

	Antigua and Barbuda	Dominica	Grenada	Saint Kitts and Nevis	Saint Lucia
<b>Total applications received</b>	3 719 (2014-2022) 685 (2023) 739 (2024 until 30/6)	13 161 (2015-2022) 4 068 in 2023 2 981 in 2024 (until 30/6)	3 151 (2014-2022) 1 251 (2022) 2 297 (2023) 138 (2024 until 31/07)	17 668 (2015-2022) 1 987 (2023) 98 (2024 until 30/6)	2 013 (2015-2022) 4 076 (2023) 1 226 (2024 until 30/4)
<b>Rejections</b>	157 (2014-2022) 24 (2023) 23 (2024)	420 (2019-2022) 210 (2023) 180 (2023)	204 (2015-2022) 59 (2023) 34 (2024)	532 (2015-2022) 207 (2023) 4 (2024)	70 (2015-2022) 28 (2023) 81 (2024)
<b>Total passports issued</b>	7 205 (2014-2022) 1 191 (2023) 198 (2024 until 30/6)	34 596 (2018-2022, 2022 data being verified) 9 539 (2023) 5 484 (2024 until 30/6)	6 479 (2014-2022) 2023-2024: N/A	35 577 (2015-2022) 2023-2024: N/A	N/A

The successful applicants continue to include mostly **nationals that would otherwise require a visa to enter the EU**. The main successful applicants’ nationalities in 2023-2024, according to the information received, include Iran (1 918), China (1 099), Syria (747), Iraq (425), Nigeria (308) and Lebanon (149), among others.<sup>34</sup> Following the Russian aggression against Ukraine, all five countries

<sup>32</sup> Antigua and Barbuda has introduced an obligation to visit the country within 3 years after the citizenship is granted and other countries are reflecting on introducing a similar obligation.

<sup>33</sup> The data set is not complete and presents a number of inconsistencies. The number of total applications is often lower than the total number of passports issued because applications can cover more than one person (e.g., a successful application for a family of 4 counts as 1 application, but 4 passports issued).

<sup>34</sup> It is worth noting that the figures per third country provided in this paragraph are based on data submitted by the Eastern Caribbean countries regarding the top 5 nationalities in terms of successful applications. It is therefore

have suspended the examination of applications from Russian and Belarusian nationals. However, in 2023 Grenada still had a considerable number (around 2 300) of pending applications from Russian nationals which have been processed in 2024<sup>35</sup>.

Following the publication of the sixth report, **the Commission has continued the engagement with the five countries, at both political and technical level**. On 12 January 2024, the Commission held a high-level meeting with the Prime Ministers of the five countries, which was followed by a technical fact-finding mission of the Commission services to the region in January 2024 and exchanges of information in writing.

The mission and the updated information received confirmed most of the main concerns presented in the sixth report, i.e., that **the investor citizenship schemes cannot be zero-security-risk**, as well as the economic and political importance of those schemes for the five countries.

At the same time, over the past months all five countries have showed an increased awareness of the need to strengthen their due diligence and security screening systems, and openness to substantial improvements with the support of their international partners. In particular, in the first months of 2024, the five countries signed a **Memorandum of understanding providing a framework for cooperation to strengthen the security of their schemes**. In accordance with the memorandum, the five countries decided to harmonise the minimum investment fee to 200 000 USD. For Antigua and Barbuda, Dominica, Grenada and Saint Lucia this constituted an increase of 100% (from a previous threshold of 100 000 USD). The memorandum also included a commitment to share information on applicants, implement enhanced transparency measures, establish a regional regulation authority, strengthen their security screening frameworks, and establish common standards on agents, marketing and promotion of schemes.

The Commission will continue to work in close cooperation with the five Eastern Caribbean countries and assess the implementation of the above-mentioned reforms, under the current legal framework of Article 8(2)(d) of the Visa Regulation that provides for the triggering of the visa suspension mechanism in cases of an increased risk or imminent threat to the public policy or internal security of Member States. Once the revised visa suspension mechanism will be adopted, the Commission will adapt its assessment on the basis of the new rules. In any circumstances, the Commission's assessment will continue to take due account of the overall relations between the EU and the third countries concerned as well as the overall political context.

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possible that the actual figures per third country are slightly higher than those provided based on this data collection exercise (i.e., some of these nationalities may not have made it to the 'top 5' in one or more Eastern Caribbean countries). All applications from nationals of Iran reported here were processed only by Dominica.

<sup>35</sup> Grenada informed the Commission that as of 16 September 2024, there were 87 Russian applications outstanding for review.

### III. LATIN AMERICA



In the Visa Communication of May 2023<sup>36</sup>, one of the main highlighted challenges was the rising number of **asylum applications lodged by visa-exempt third-country nationals**. Asylum applications by nationals of visa-free countries often have a **low recognition rate** and thus create a significant burden for the Member States asylum systems: around 20% (more than 1.2 million) of the asylum applications lodged in the EU between 2015 and 2023 were lodged by third-country nationals travelling visa-free to the EU. This is happening at a moment when the reception capacity of some Member States is at its limits given the multi-crisis situation on the geopolitical front, and in particular the need to integrate the high numbers of persons with temporary protection that found refuge in the EU due to the ongoing war of aggression of Russia against Ukraine and the continuous irregular arrivals of migrants from other parts of the world.

Besides the countries in the EU's neighbourhood regularly covered by visa suspension mechanism reports, over the last years some EU Member States are facing an increasing trend of asylum applicants from the visa-free countries in Latin America, as shown by the tables below. Between 2015 and the first quarter of 2024, asylum applications lodged by nationals of the visa-free countries of the Latin American region have increased significantly, leading to a situation where they represent **half of the total asylum applications from third-country nationals travelling visa free (around 600 000 out of around 1.2 million)**.

<sup>36</sup> Communication from the Commission to the European Parliament and the Council on the monitoring of the EU's visa free regimes, COM/2023/297 final.

**Table 1 – First time asylum applications 2015-Jan-Jul 2024 - Source: Eurostat**

Country	2015	2016	2017	2018	2019	2020	2021	2022	2023	Jan-Jul 2024
<b>Costa Rica</b>	10	5	15	20	60	40	20	80	115	120
<b>El Salvador</b>	555	1765	2965	5040	9070	4230	1830	3580	2880	1540
<b>Guatemala</b>	20	40	85	230	620	500	265	440	545	260
<b>Honduras</b>	220	475	1325	2770	7245	5670	2360	3260	4030	1580
<b>Mexico</b>	75	50	80	125	200	160	135	260	335	195
<b>Nicaragua</b>	45	65	165	1890	6530	3900	1365	2780	3235	1545
<b>Panama</b>	5	5	10	15	55	50	60	125	170	85
<b>Argentina</b>	15	20	35	100	340	450	325	810	1475	985
<b>Brazil</b>	90	205	290	670	1605	1650	795	1555	1775	1245
<b>Chile</b>	35	50	50	105	225	300	195	370	600	385
<b>Colombia</b>	270	1050	3935	10045	31850	29055	13140	42420	62015	31845
<b>Paraguay</b>	15	15	30	80	375	370	250	740	1085	735
<b>Peru</b>	145	150	550	1515	6810	6140	3055	12685	23035	16135
<b>Uruguay</b>	0	10	20	30	110	170	140	110	200	110
<b>Venezuela</b>	775	4690	12985	22195	44770	30325	17380	50050	67085	41740
<b>TOTAL</b>	2275	8595	22540	44830	109865	83010	41315	119265	168580	98505

Country	Year	Refusals of entry	Irregular stays	First-time asylum applications	Recognition rate <sup>37</sup>
Argentina	2022	350	1 110	810	2%
	2023	335	1 285	1 475	4%
Brazil	2022	2 825	4 565	1 555	8%
	2023	2 380	4 990	1 775	9%
Chile	2022	180	620	370	5%
	2023	210	700	600	4%
Colombia	2022	3600	9 800	42 420	6%
	2023	3655	14 260	62 015	6%
Costa Rica	2022	20	75	80	0%
	2023	20	85	115	11%
El Salvador	2022	165	650	3 580	31%
	2023	130	720	2 880	31%
Guatemala	2022	115	285	440	17%
	2023	105	260	545	32%
Honduras	2022	515	2 405	3 260	17%
	2023	475	2490	4 030	23%
Mexico	2022	190	695	260	12%
	2023	235	730	335	18%
Nicaragua	2022	425	1 325	2 780	25%
	2023	370	1080	3 235	52%
Panama	2022	25	35	125	14%
	2023	25	40	170	6%
Paraguay	2022	725	1 265	740	5%
	2023	460	1800	1 085	3%
Peru	2022	1 155	3 650	12 685	5%
	2023	990	4 755	23 035	5%
Uruguay	2022	30	190	110	3%
	2023	25	220	200	5%
Venezuela	2022	250	2 000	50 050	4%
	2023	405	2 175	67 085	3% <sup>38</sup>
TOTAL/AVERAGE (%)	2022	10 555	28 670	119 265	10%
	2023	9 835	35 590	168 580	14%

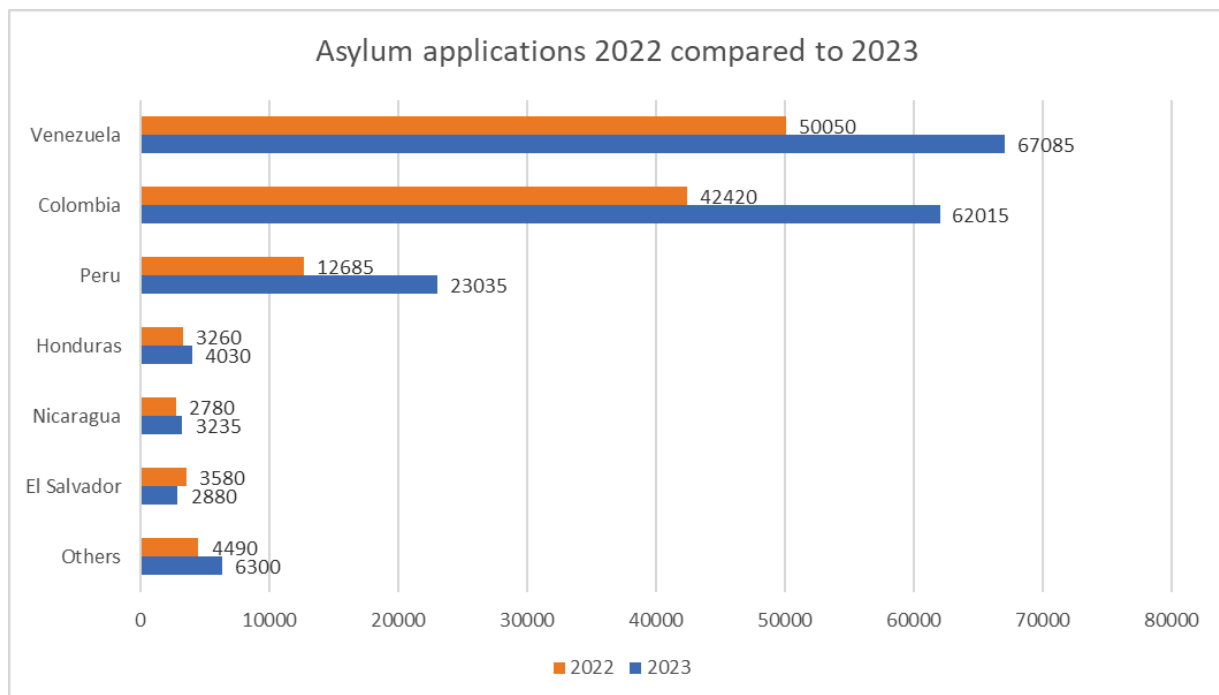
In 2023, there were **168 580 applications** lodged by nationals of the fifteen countries concerned, compared to 119 265 applications in 2022. This represents an **increase of over 40% in one year**.

While there have been asylum requests by nationals of all the fifteen countries in the region that have

<sup>37</sup> The recognition rate includes EU-regulated forms of protection (refugee status and subsidiary protection) and excludes national protection forms (humanitarian reasons). It is calculated by dividing the number of positive first instance decisions (granting refugee status or subsidiary protection) by the total number of decisions issued.

<sup>38</sup> In 2023, 91% of first instance decisions resulted in granting national humanitarian statuses to Venezuelan applicants, (72% in 2022).

a visa waiver, Venezuela, Colombia and Peru present the highest numbers and increasing trends, followed by Honduras, Nicaragua, and El Salvador. The other countries present lower numbers and less significant increasing trends, and therefore for the moment do not give rise to specific concerns<sup>39</sup>.



*Source: Eurostat*

As regards **Venezuela**, the number of applications for international protection by Venezuelan nationals in Member States during the last three years is steadily increasing with more than 50 000 applications per year. There were 69 540 applications lodged in 2023 against 52 075 applications in 2022. The Commission acknowledges that these trends are linked to the current political and economic situation of Venezuela and recalls the commitment of the EU to support, together with its international partners, a peaceful, democratic and inclusive Venezuelan-led solution to end the crisis in the country.

As regards **Colombia**, in 2023 Colombian nationals lodged 63 310 applications for international protection in Member States, an increase of 46% compared with 2022 (43 370). The Commission acknowledges that these trends are also linked to the fact that Colombia is hosting almost 3 million refugees and migrants from Venezuela. As stated in the Joint Communication, the EU will continue to support Colombia and the region in facing this migration crisis.

As regards **Peru**, there was a sharp increase of 81% in the number of applications for international protection lodged in Member States between 2022 and 2023, with 23 280 applications submitted in 2023 compared with 12 880 in 2022.

As regards **Honduras**, in 2023 there were 4065 applications for international protection in Member States, compared to 3335 in 2022, representing an increase of 18%.

As regards **Nicaragua**, in 2023 there were 3340 applications for international protection in Member States, compared to 2855 in 2022, representing an increase of 15%.

As regards **El Salvador**, in 2023 there were 3060 applications for international protection in Member

<sup>39</sup> Though Brazil has some of the highest numbers in the region in terms of refusals of entry and irregular stays, this should be considered in proportion to its larger population.



States, compared to 3770 in 2022, representing a decrease of 19%.

To ensure the sustainability of the visa exemption, visa-free travel should be used strictly for short stays. Commission services, in cooperation with the EEAS, will engage in dialogue with the most concerned countries in the region to exchange information and best practices, support the efforts of authorities in the implementation of appropriate border controls on departure, awareness raising campaigns on rights and obligations under the visa-free regimes, and other appropriate actions to address the underlying reasons for the high numbers of asylum applications. The Commission will monitor the implementation of the above-mentioned measures and the impact on the numbers of irregular stays and asylum applications, under the current legal framework of Article 8(2)(a) and (b) of the Visa Regulation that provides for the triggering of the visa suspension mechanism in cases of a substantial increase in irregular migration or unfounded asylum applications.

As for long stays, the two parties should step up cooperation on legal pathways and foster mutually beneficial mobility arrangements, as stated in the Joint Communication a New Agenda for Relations between the EU and Latin America and the Caribbean.

## CONCLUSION

Member States report overall close cooperation with all partners in the EU's neighborhood on both migration and security. Several of these partners need to continue addressing unfounded asylum applications, and all should continue making progress on visa policy alignment, to prevent the risk that third-country nationals enter without visas in their territories and then continue travelling irregularly towards the EU.

For the EU's neighborhood, the follow-up to the completion of the visa liberalisation process continues to be a powerful tool for supporting reforms and boosting cooperation with the EU on migration, border management and security. The Commission considers that Albania, Bosnia and Herzegovina, Moldova, Montenegro, North Macedonia, and Serbia have taken action to address a number of the recommendations made in the Sixth Report under the Visa Suspension Mechanism. For Ukraine and Kosovo, whose nationals obtained the visa exemption less than seven years ago and for which reporting on the fulfilment of the visa liberalisation requirements is still necessary, the Commission considers that those requirements continue to be fulfilled. However, both need to take further action to address the Commission's recommendations. For Georgia, whose nationals also obtained the visa exemption less than seven years ago and for which reporting on the fulfilment of the visa liberalisation requirements is still necessary, the Commission considers that, in order to continue fulfilling all visa liberalisation benchmarks and to avoid the possible activation of the suspension mechanism, the country needs to take further urgent action to address the Commission's recommendations, particularly in the area of the protection of fundamental rights.

Close monitoring of this process will continue, including through meetings between senior officials, and the regular Justice, Freedom and Security subcommittee meetings. The monitoring of issues related to the visa liberalisation requirements will also continue to be addressed in the Commission's annual enlargement reports.

The Commission will also continue to engage with the visa-free countries in the Eastern Caribbean operating investor citizenship schemes in view of preventing any possible security risks for the EU and its Member States, and with the concerned Latin America countries in order to prevent that visa-free travel is used to lodge unfounded asylum applications.