

Third countries whose nationals are subject to or exempt from a visa requirement: Kosovo

2016/0139(COD) - 10/03/2023 - Council position

The Council adopted its position at first reading with a view to the adoption of the Regulation of the European Parliament and of the Council 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).

The proposed Regulation aims at **transferring the reference to ‘Kosovo’ from Annex I (list of countries subject to visa requirement) to Annex II (list of countries visa exempted)** in Regulation (EU) 2018/1806. As a consequence, holders of Kosovo biometric passports will enjoy visa-free travel for short stays (i.e. up to 90 days in any 180-day period) in the European Union.

The visa waiver will apply **from the date of entry into operation of the European Travel Information and Authorisation System (ETIAS)**, established by Regulation (EU) 2018/1240 of the European Parliament and of the Council.

Acknowledging that the calendar for the entry into operation of EU IT systems is subject to revision, the Council Position at first reading makes clear that visa liberalisation will apply in any case **from 1 January 2024 at the latest**, should the start of operations of ETIAS be further delayed.

The Council's position at first reading also emphasises:

- the importance of Kosovo's cooperation on readmission, notably via the conclusion of agreements or arrangements in this area with Member States, where these do not exist already, and this in full compliance with the principle of non-refoulement;
- the importance of the alignment of Kosovo's visa policy with that of the Union, in order to prevent irregular migration towards the Schengen area.

Ireland is not taking part in the adoption of the Regulation and is not bound by it or subject to its application, as it constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part.

Concerning Iceland, Norway, Switzerland and Liechtenstein, the Regulation constitutes a development of the provisions of the Schengen acquis.

As regards Cyprus, Bulgaria and Romania, the Regulation constitutes an act building upon, or otherwise relating to, the Schengen acquis within the meaning of the respective Acts of Accession.