

Amending Regulation (EU) 2018/1806 as regards Vanuatu

2024/0128(COD) - 14/01/2025 - Final act

PURPOSE: to permanently abolish the visa waiver regime granted to Vanuatu in order to mitigate security threats.

LEGISLATIVE ACT: Regulation (EU) 2025/11 of the European Parliament and of the Council amending Regulation (EU) 2018/1806 as regards Vanuatu.

CONTENT: the Regulation amends Regulation (EU) 2018/1806 by transferring the reference to Vanuatu from Annex II (list of third countries whose nationals are exempt from the visa requirement when crossing the external borders of the Member States for stays of no more than 90 days in any 180-day period) to Annex I with a view to **reintroducing the visa requirement for nationals of Vanuatu**.

Since 25 May 2015, Vanuatu has been operating investor citizenship schemes allowing visa-required third-country nationals to easily obtain the nationality of a visa-free country, thus enabling them to bypass the Schengen visa procedure and gain visa-free access to the EU.

As the granting of citizenship by Vanuatu under its investor citizenship schemes was deemed to constitute a circumvention of the Union short-stay visa procedure and the assessment of security and migratory risks it entails, as well as an increased risk to the internal security and public policy of the Member States, the Council adopted, on 3 March 2022, Decision (EU) 2022/366 partially suspending the application of the Agreement.

Following the start of application of the temporary suspension of the visa exemption on 4 May 2022, the Commission started an enhanced dialogue with Vanuatu, with a view to remedying the circumstances having led to the temporary suspension of the visa exemption. However, Vanuatu did not engage in a meaningful way during this phase of the dialogue.

Due to the persistence of those circumstances and the absence of engagement of Vanuatu to remedy them, the Council as of 4 February 2023 repealed Decision (EU) 2022/366 and suspended in whole the application of the Agreement. On 1 December 2022, the Commission adopted Delegated Regulation (EU) 2023/222 temporarily suspending the exemption from the visa requirement from 4 February 2023 to 3 August 2024.

The Commission continued the dialogue with Vanuatu. Vanuatu adopted several amendments to its legislation to address the EU's concerns. However, it has failed to provide satisfactory evidence that these changes are being implemented and are sufficient to mitigate the security risks posed by its citizenship by investment programmes.

ENTRY INTO FORCE: 3.2.2025.