




Basic information	
<b>2023/0371(COD)</b> COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Revision of the Visa Suspension Mechanism  Amending Regulation 2018/1806 <a href="#">2018/0066(COD)</a>  <b>Subject</b>  7.10.04 External borders crossing and controls, visas	

Key players			
European Parliament	<b>Committee responsible</b>	<b>Rapporteur</b>	<b>Appointed</b>
	<span style="border: 1px solid red; padding: 2px;">LIBE</span> Civil Liberties, Justice and Home Affairs	NEMEC Matjaž (S&D)	30/09/2024
		Shadow rapporteur PEDRO Ana Miguel (EPP) PIERA Pascale (Pfe) WEIMERS Charlie (ECR) AZMANI Malik (Renew) STRIK Tineke (Greens/EFA) GALÁN Estrella (The Left) KHAN Mary (ESN)	
	<b>Former committee responsible</b>	<b>Former rapporteur</b>	<b>Appointed</b>
<span style="border: 1px solid red; padding: 2px;">LIBE</span> Civil Liberties, Justice and Home Affairs	NEMEC Matjaž (S&D)	22/01/2024	
	<b>Former committee for opinion</b>	<b>Former rapporteur for opinion</b>	<b>Appointed</b>
<span style="border: 1px solid red; padding: 2px;">AFET</span> Foreign Affairs		The committee decided not to give an opinion.	
Council of the European Union			
European Commission	<b>Commission DG</b>	<b>Commissioner</b>	
	Migration and Home Affairs	JOHANSSON Ylva	

Key events			
Date	Event	Reference	Summary
18/10/2023	Legislative proposal published	COM(2023)0642 	Summary
20/11/2023	Committee referral announced in Parliament, 1st reading		
13/11/2024	Resumption of business from the previous parliamentary term		
19/03/2025	Vote in committee, 1st reading		
19/03/2025	Committee decision to open interinstitutional negotiations with report adopted in committee		
21/03/2025	Committee report tabled for plenary, 1st reading	A10-0035/2025	Summary
31/03/2025	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
02/04/2025	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72)		
15/07/2025	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2025)003006 PE775.549	
06/10/2025	Debate in Parliament		
07/10/2025	Decision by Parliament, 1st reading	T10-0209/2025	Summary
07/10/2025	Results of vote in Parliament		
17/11/2025	Act adopted by Council after Parliament's 1st reading		
26/11/2025	Final act signed		
10/12/2025	Final act published in Official Journal		

Technical information	
Procedure reference	2023/0371(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation 2018/1806 <a href="#">2018/0066(COD)</a>
Legal basis	Treaty on the Functioning of the European Union TFEU 077-p2
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/10/00263


Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, 1st reading/single reading	<a href="#">A10-0035/2025</a>	21/03/2025	<a href="#">Summary</a>
Text agreed during interinstitutional negotiations	<a href="#">PE775.549</a>	23/06/2025	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T10-0209/2025</a>	07/10/2025	<a href="#">Summary</a>

#### Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	<a href="#">GEDA/A/(2025)003006</a>	23/06/2025	
Draft final act	<a href="#">00022/2025/LEX</a>	21/11/2025	

#### European Commission

Document type	Reference	Date	Summary
Legislative proposal	<a href="#">COM(2023)0642</a> 	18/10/2023	<a href="#">Summary</a>
Commission response to text adopted in plenary	<a href="#">SP(2025)11-25</a>	25/11/2025	

#### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	<a href="#">CES1460/2024</a>	23/10/2024	

#### Additional information

Source	Document	Date
EP Research Service	<a href="#">Briefing</a>	13/06/2024
European Commission	<a href="#">EUR-Lex</a>	

## Meetings with interest representatives published in line with the Rules of Procedure

### Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	Role	Committee	Date	Interest representatives
<a href="#">NEMEC Matjaž</a>	Rapporteur	<a href="#">LIBE</a>	08/04/2025	US mission to the EU
<a href="#">NEMEC Matjaž</a>	Rapporteur	<a href="#">LIBE</a>	06/03/2025	Swedish Minister for Migration
<a href="#">NEMEC Matjaž</a>	Rapporteur	<a href="#">LIBE</a>	06/03/2025	Minister for migration, Sweden
<a href="#">AZMANI Malik</a>	Shadow rapporteur	<a href="#">LIBE</a>	12/02/2025	The Green Group
<a href="#">NEMEC Matjaž</a>	Rapporteur	<a href="#">LIBE</a>	22/01/2025	Permanent representative of Poland to the EU

NEMEC Matjaž	Rapporteur	LIBE	09/04/2024	Prime Minister of Saint Lucia
STRIK Tineke	Shadow rapporteur	LIBE	21/02/2024	college of europe
STRIK Tineke	Shadow rapporteur	LIBE	19/02/2024	CEPS
NEMEC Matjaž	Rapporteur	LIBE	06/02/2024	College Green Group

## Other Members

Transparency		
Name	Date	Interest representatives
DÜPONT Lena	01/07/2025	Mission of Israel to the EU

Final act
<a href="#">Regulation 2025/2441</a> <a href="#">OJ OJ L 10.12.2025</a>

# Revision of the Visa Suspension Mechanism

2023/0371(COD) - 18/10/2023 - Legislative proposal

PURPOSE: to amend the visa suspension mechanism.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: visa-free travel brings key benefits for citizens on both sides, strengthening further the EU relations with its partners. It also promotes cultural and academic exchanges.

The number of travellers between the EU and visa-free non-EU countries in 2019 was 364.8 million. This represents a 7% increase from 2018.

At the same time, the Commission's monitoring of the EU's visa-free regimes, including its reports under the Visa Suspension Mechanism, has shown that visa-free travel can also be the **source of significant migration and security challenges**.

The suspension mechanism, established in Regulation (EU) 2018/1806, is a safeguard against the abuse of visa-free travel. This mechanism enables the temporary suspension of the visa exemption in case of a sudden and substantial increase in irregular migration or security risks. However, with increasing challenges resulting from irregular migration, and threats to the security of the EU, it became clear that this mechanism needed to be further strengthened and improved.

CONTENT: in order to effectively address the multitude of challenges resulting from visa-free travel in a constantly evolving geopolitical context and taking into account the consultation with the European Parliament, Member States and other stakeholders, this proposal aims to **adapt the suspension mechanism to such challenges**, by amending the relevant provisions set out in Article 8 of Regulation (EU) 2018/1806.

The revision includes several substantive amendments. In particular, the proposal:

- defines the temporary suspension mechanism. It provides that the suspension mechanism may be triggered by a notification by a Member State to the Commission or by the Commission based on its own analysis;
- clarifies that, in cases where an agreement on the short-stay visa waiver between the Union and a third country listed in Annex II includes provisions on different grounds for suspension or different procedures, those provisions should be applied instead of the relevant provisions of the Regulation;
- establishes the conditions and procedure for suspension: the proposal sets out and amends all the **grounds and thresholds** for the suspension of the exemption from the visa requirement. The grounds for suspension of the visa exemption include the ones concerning an increase in irregular migration, an increase in the number of unfounded asylum applications, a decrease in cooperation on readmission and other cases of non-cooperation on readmission and the lack of fulfilment of the visa liberalisation benchmarks;

- expands the **public policy and security ground** for suspension to cover explicitly threats to the public policy and security of the Member States arising from hybrid threats, such as situations of state-sponsored instrumentalisation of migrants aimed at destabilising or undermining society and key institutions;
- introduces a new suspension ground specifically addressing **investor citizenship schemes**, which are currently operated by a number of third countries (golden passports). To address this issue, the EU should have the possibility, based on a Commission's analysis, to suspend the visa exemption for a third country that chooses to operate an investor citizenship scheme whereby citizenship is granted without any genuine link to the third country concerned, in exchange for pre-determined payments or investments;
- adds a new suspension ground to cover those cases where the **lack of visa policy alignment** of a third country listed in Annex II with the visa policy of the Union, could lead to situations where third-country nationals, other than nationals of that third country, arrive legally in the territory of that third country and then enter irregularly the territory of the Member States;;
- introduces the possibility of the Commission to consider **different thresholds** when deciding whether to suspend a visa exemption in cases of a substantial increase in irregular migration, unfounded asylum applications or serious criminal offences linked to the nationals of that third country, following a case-by-case assessment;
- lays down the procedure and conditions for a Member State's notification to the Commission when it is confronted by one or more circumstances amounting to a ground for suspension, and the procedure for the Commission's examination of such a notification;
- modifies the **reference period** for identifying the existence of the circumstances which may lead to the suspension. The reference period is amended to cover at least a two-month period;
- sets out the Commission's obligation to **monitor on a regular basis the existence of the grounds for suspension** with regard to all third countries listed in Annex II, and the procedure to trigger the suspension mechanism based on the Commission's own analysis of the existence of such grounds;
- introduces the possibility for the Commission to report on any of the visa-free countries listed in Annex II, either on its own initiative or at the request of the European Parliament or the Council;
- amends the suspension procedure by means of implementing and delegated acts, by increasing the duration of the temporary suspension of the visa exemption from nine months to 12 months (for the first phase) and from 18 months to 24 months (for the second phase);
- introduces an **urgency procedure**, which would allow the Commission to suspend a visa exemption through an immediately applicable implementing act, when it considers that imperative grounds of urgency exist, which require expedited action that could not be ensured under the ordinary procedure.

## Revision of the Visa Suspension Mechanism

2023/0371(COD) - 21/03/2025 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Matjaž NEMEC (S&D, SI) on the 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.

As a reminder, the suspension mechanism, established by Regulation (EU) 2018/1806, is intended to prevent abuse of the visa-free regime. In order to effectively address the multiple challenges posed by the visa-free regime in a constantly evolving geopolitical context, this proposal aims to adapt the suspension mechanism to these challenges.

The competent committee recommended that the European Parliament adopt its position at first reading by amending the Commission's proposal as follows.

### *Triggering the suspension mechanism*

The suspension mechanism may be triggered for the following reasons: (a) a substantial increase in the number of third-country nationals listed in Annex II who have been refused entry or who are found to be staying on the territory of a Member State without the right to do so; (b) a substantial increase in the number of asylum applications lodged by third-country nationals listed in Annex II for which the recognition rate is low.

Members clarified that a 'substantial increase' means an increase exceeding the 40% threshold (rather than 50%), unless the Commission concludes that a lower or higher increase is applicable in the particular case. In this case, the Commission must justify this conclusion.

### *Reasons for suspension*

Members considered that the grounds for suspending the visa waiver should include considerations related to the Union's external relations. Thus, these grounds for suspension should include the **deterioration of the Union's external relations with a third country** listed in Annex II, due to:

- serious breaches by a third country of the principles set out in the **Charter of the United Nations**;
- grave violations of the obligations deriving from international **human rights** law or international humanitarian law;
- violations of **bilateral agreements** between the Union and that third country, non-compliance or non-alignment with relevant Union sanctions;
- **hostile acts** towards the Union or Member States which aim to destabilise or undermine society and key institutions for the public policy and internal security of the Member states and the Union;

- non-compliance by that third country with relevant Union **sanctions**, or non-alignment with those sanctions.

#### ***Notification by Member States***

For the purpose of notifying the Commission of circumstances that may constitute grounds for suspension, Member States should take into account **reference periods of between two and twelve months** in order to identify sudden changes in the relevant situation that may justify the use of the visa suspension mechanism. The suspension mechanism should be triggered only where there are sufficient and clear reasons to invoke the relevant ground.

The Commission will also assess the necessity, proportionality and consequences of suspending the visa exemption.

#### ***Reports***

The Commission will report periodically to the European Parliament and to the Council on the monitoring it has carried out in respect of third countries which have been included in the list in Annex II, ensuring that each of those third countries is reported on at least once within a four-year period.

In addition, the Commission will report annually for a period of seven years after the date of entry into force of visa liberalisation for listed third countries following the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country. Whenever the Commission considers it necessary, it will report on third countries which it considers, on the basis of concrete and reliable information, no longer meet specific criteria.

#### ***Implementing acts***

Where a significant risk or imminent threat to public policy or internal security of a Member State requires immediate action, the Commission may adopt immediately applicable implementing acts **temporarily suspending the exemption from the visa requirement** for the nationals of the third country concerned for a maximum period of 12 months.

The Commission will comprehensively and consistently inform the European Parliament and the Council throughout the procedure.

During the period of suspension, the Commission will establish an **enhanced dialogue** with the third country concerned with a view to remedying the circumstances in question and will regularly report to the European Parliament and to the Council on the progress and outcome of the dialogue and on the effectiveness of the suspension.

#### ***Suspension of the possibility to provide for exceptions from the visa requirement as regards countries listed in Annex I***

In the event of a deterioration in the Union's external relations with a third country listed in Annex I to the Regulation, and provided that that deterioration is of a significant and abrupt nature, the Commission may adopt an implementing act to suspend any exceptions from the visa requirement provided for by Member States under this Regulation as regards holders of diplomatic passports, service/official passports or special passports.

The Commission will continuously assess whether it is possible to achieve a **substantial and sustained improvement in the Union's external relations** with the third country concerned or in the level of cooperation of the third country concerned as regards the readmission of irregular migrants. On the basis of that assessment, the Commission may adopt an implementing act to repeal or amend the abovementioned implementing act.

## **Revision of the Visa Suspension Mechanism**

2023/0371(COD) - 07/10/2025 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 518 votes to 96, with 24 abstentions, a legislative resolution on the 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.

As a reminder, the suspension mechanism, established by Regulation (EU) 2018/1806, is a safeguard against the abuse of visa-free travel. In order to effectively address the multitude of challenges resulting from visa-free travel in a constantly evolving geopolitical context, this proposal aims to adapt the suspension mechanism to such challenges.

The European Parliament adopted its position at first reading by amending the Commission's proposal as follows.

#### ***Triggering the suspension mechanism***

The suspension mechanism may be triggered for the following reasons: (a) a substantial increase in the number of third-country nationals listed in Annex II who have been refused entry or who are found to be staying on the territory of a Member State without the right to do so; (b) a substantial increase in the number of asylum applications lodged by nationals of a third country listed in Annex II for which the recognition rate is low; (c) a significant risk or imminent threat to public policy or the internal security of the Member States related to a third country listed in Annex II to Regulation (EU) 2018/1806 (third countries exempt from the visa requirement).

The threshold for assessing 'substantial' increases in the number of people staying without authorisation or serious criminal offences will be set at 30%. The threshold for calculating a low rate of recognition of asylum applications will be set at 20%. In duly justified cases, the Commission may also deviate from these thresholds.

#### ***New grounds for suspension***

The grounds for suspension will include the deterioration of the Union's external relations with a third country listed in Annex II, due to:

- **grave violations** by that third country of: (i) the principles set out in the Charter of the United Nations; (ii) fundamental freedoms or of the obligations deriving from international human rights law or (iii) international humanitarian law;
- **non-compliance** by that third country with international court decisions and rulings; or
- that third country carrying out **hostile acts** against the Union or Member States with the aim of destabilising or undermining society or institutions which are key for the public policy and internal security of the Union or Member States.

#### ***Implementing acts***

The Commission may adopt an implementing act suspending for a period of 12 months the exemption from the visa requirement for nationals of a country. Where the Commission considers suspending a visa exemption on the basis of its own analysis or following a notification by a Member State, it should take into account, in its assessment, the impact of the suspension on civil society in the third country concerned, in particular where the human rights situation in that third country has deteriorated.

Where justified by the urgency of the matter, the Commission will adopt an implementing act temporarily suspending the exemption from the visa requirement for all nationals of the third country concerned or for certain categories thereof for a period of 12 months, where it has concrete and reliable information on the existence of any circumstances constituting grounds for suspension and decides that measures must be taken rapidly.

During the period of suspension, the Commission will establish an enhanced dialogue with the third country concerned with a view to remedying the circumstances in question and will inform the European Parliament and the Council of the progress and outcome of the dialogue and of the effectiveness of the suspension.

#### ***Extended suspension***

If the grounds for suspension persist at the end of an initial 12-month suspension period, the Commission will adopt a **delegated act** to extend the suspension of the visa waiver for a **further 24 months**. This suspension will apply to all nationals of the third country concerned. By way of derogation, if the initial suspension concerns violations of fundamental rights or external relations, the Commission may limit the suspension to **certain categories of third-country nationals** (e.g. holders of diplomatic or official passports).

Before the end of the period of application of a delegated act, the Commission will submit a report to the European Parliament and to the Council on the temporary application of the suspension of the exemption from the visa requirement, on the dialogue between the Commission and the third country concerned, as well as on the measures taken to address the circumstances which led to the temporary suspension of the exemption from the visa requirement. Where the circumstances constituting grounds for suspension persist, the Commission may indicate, in the report related to that delegated act that there is a need to adopt a further delegated act in order to extend the period of suspension by another period of 24 months. In that case, the first and second subparagraphs of this paragraph shall apply *mutatis mutandis*.