Basic information

2024/0128(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Amending Regulation (EU) 2018/1806 as regards Vanuatu Amending Regulation 2018/1806 2018/0066(COD) **Subject** 7.10.04 External borders crossing and controls, visas **Geographical area** Vanuatu	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	CUNHA Paulo (EPP)	30/09/2024
	Shadow rapporteur NEMEC Matjaž (S&D) VANDENDRIESSCHE Tom (PfE) TYNKKYNEN Sebastian (ECR) JOVEVA Irena (Renew) ASENS LLODRÀ Jaume (Greens/EFA) CARÊME Damien (The Left)	

Former committee responsible	Former rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs		

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	4068	2024-12-12

European Commission

Commission DG	Commissioner
Migration and Home Affairs	JOHANSSON Ylva

Key events

Date	Event	Reference	Summary
31/05/2024	Legislative proposal published	COM(2024)0365	Summary
16/09/2024	Committee referral announced in Parliament, 1st reading		
21/11/2024	Vote in committee, 1st reading		
21/11/2024	Committee report tabled for plenary, 1st reading	A10-0015/2024	
27/11/2024	Decision by Parliament, 1st reading	T10-0047/2024	Summary
27/11/2024	Results of vote in Parliament		
12/12/2024	Act adopted by Council after Parliament's 1st reading		
19/12/2024	Final act signed		
14/01/2025	Final act published in Official Journal		

Technical information

Procedure reference	2024/0128(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation 2018/1806 2018/0066(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 077-p2
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/10/00418

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE764.972	03/10/2024	
Committee report tabled for plenary, 1st reading/single reading		A10-0015/2024	21/11/2024	
Text adopted by Parliament, 1st reading/single reading		T10-0047/2024	27/11/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Draft final act	00100/2024/LEX	19/12/2024	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2024)0365	31/05/2024	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Regulation 2025/0011 OJ OJ L 14.01.2025	Summary

Amending Regulation (EU) 2018/1806 as regards Vanuatu

2024/0128(COD) - 27/11/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 627 votes to 6, with 37 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 Vanuatu.

Parliament adopted its position at first reading following the ordinary legislative procedure, taking over the Commission proposal.

In light of the risk to the internal security and public policy of the Member States represented by Vanuatu's citizenship investment schemes, the proposal seeks to amend Regulation (EU) 2018/1806 by transferring the reference to Vanuatu from Annex II (list of third countries whose nationals are exempt from the requirement to be in possession of a visa 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**.

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.

Amending Regulation (EU) 2018/1806 as regards Vanuatu

2024/0128(COD) - 31/05/2024 - Legislative proposal

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

PROPOSED ACT: Regulation of the European Parliament.

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: the Republic of Vanuatu is listed in Annex II to Regulation (EU) 2018/1806 among the third countries whose nationals are exempt from the requirement to be in possession of a visa when crossing the external borders of the Member States for stays of no more than 90 days in any 180-day period.

The exemption from the visa requirement for nationals of Vanuatu is applicable since 28 May 2015, when the Agreement between the European Union and the Republic of Vanuatu on the short-stay visa waiver was signed and started to apply on a provisional basis. The Agreement entered into force on 1 April 2017.

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.

On 27 April 2022, the Commission adopted Implementing Regulation (EU) 2022/693 temporary suspending the visa exemption for nationals of Vanuatu from 4 May 2022 to 3 February 2023.

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.

Following the start of application of that Delegated Regulation, the Commission continued the dialogue with Vanuatu. Vanuatu adopted a number of legislative changes to address concerns related to the investor citizenship schemes. However, the Commission considers that these measures have not been sufficient to mitigate the security risks posed by the investor citizenship programmes maintained by this country.

In light of the risk to the internal security and public policy of the Member States represented by Vanuatu’s citizenship investment schemes, the Commission considers that it is necessary to submit a proposal to transfer Vanuatu to the list of third countries whose nationals require a Schengen visa.

CONTENT: the Commission proposes to amend Regulation (EU) 2018/1806 by **transferring the reference to Vanuatu from Annex II** (list of third countries whose nationals are exempt from the requirement to be in possession of a visa 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** (list of third countries whose nationals are required to be in possession of a visa when crossing the external borders of the Member States).

This initiative is consistent with the EU border management and security policies, as its main objective is to address security risks for the Schengen area.

In particular, the proposal aims to prevent possible abuses linked to visa-free travel from nationals of a country operating investor citizenship schemes that pose a number of risks for the Member States, in terms of public policy and security.