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NOTE

From: Commission services

To: Visa Working Party/Mixed Committee (EU-Iceland/Norway and Switzerland/Liechtenstein)

Subject: Information to the Council on the results of the analysis carried out by the Commission pursuant to Article 8c (2) of Regulation (EU) 2018/1806 with regard to the visa-free regime with Georgia

Delegations will find attached the results of the analysis carried out by the Commission with regard to the visa-free regime with Georgia.

E-MAIL



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The Director-General

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TRANSMISSION NOTE

**FOR THE ATTENTION OF
HER EXCELLENCY AMBASSADOR CHRISTINA RAFTI, PERMANENT REPRESENTATIVE
OF THE REPUBLIC OF CYPRUS TO THE EUROPEAN UNION;
MS CHRISTINE ROGER, COUNCIL OF THE EUROPEAN UNION, DIRECTOR GENERAL FOR
JUSTICE AND HOME AFFAIRS**

**Subject: Information to the Council on the results of the analysis carried out by
the Commission pursuant to Article 8c (2) of Regulation (EU) 2018/1806
with regards to nationals of Georgia**

Pursuant to Article 8c (2) of 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, I hereby inform you that the Commission, taking into account the relevant data, reports and statistics, considers that the circumstances mentioned in Article 1 of the Visa Regulation (Regulation (EU) 2018/1806), in relation to specific requirements used to grant that exemption, including considerations of human rights and fundamental freedoms within the Union's external relations, are no longer fulfilled with regards to Georgia. This substantiates the ground for suspension set out in Article 8a (1), point (g) of Regulation (EU) 2018/1806.

Additionally, considering the European Council conclusions of 27 June 2024 and 17 October 2024, the developments recorded in the Seventh and Eighth reports under the visa suspension mechanism, and subsequent Union-level steps including the Council decision on the partial suspension of the EU–Georgia Visa Facilitation Agreement on 27 January 2025 and the Commission guidelines recommending national visa requirements for holders of diplomatic, service or official and special passports, there has been a deterioration in the Union's external relations with Georgia caused by grave violations of fundamental freedoms and serious breaches of international law and international legal standards substantiating the ground for suspension under Article 8a (1), point (h) of Regulation (EU) 2018/1806.

Following the attached analysis and in accordance with Article 8e 1(a) of Regulation (EU) 2018/1806, (the "visa suspension mechanism"), the Commission will propose an implementing regulation to temporarily and partially suspend in Union law the exemption from the visa requirement for nationals of Georgia holders of diplomatic, service and official passports.


Yours sincerely,

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111

Beate GMINDER
[E-signed]

Enclosure: Analysis carried out by the Commission pursuant to Article 8c (2) of
Regulation (EU) 2018/1806.

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 Electronically signed on 16/01/2026 15:24 (UTC+01) in accordance with Article 11 of Commission Decision (EU) 2021/2121

Results of the analysis carried out by the Commission pursuant to Article 8c (2) of Regulation (EU) 2018/1806 with regard to the visa-free regime with Georgia

Introduction

Georgia has benefited from an Agreement with the European Union on the facilitation of the issuance of visas (the ‘Facilitation Agreement’)¹ since 1 March 2011 and, following a visa liberalisation dialogue, from an exemption of visa requirement for all its nationals since 21 March 2017². Georgia is therefore listed in Annex II to Regulation (EU) 2018/1806³ (‘Visa Regulation’) 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.

On 27 January 2025, the Council adopted a decision⁴ to partially suspend the Facilitation Agreement, namely the diplomatic visa waiver foreseen in Article 10 thereof. Georgia is still listed in Annex II. However, following the suspension of the visa waiver of the facilitation agreement, Member States can, on the basis of Article 6(1) of the Visa Regulation reintroduce visa requirements for holders of diplomatic, service and official passports. The Council Decision also removed simplified procedures for the issuance of visa to Georgian diplomats and certain high-level officials.

The Council decision opened the possibility to the adoption of restrictive visa measures⁵ for diplomats and government officials, and was adopted, among others, in response to the adoption by Georgia, in 2024, of the ‘*Law on transparency of foreign influence*’ and the legislative package on ‘*family values and protection of minors*’. These laws undermined the fundamental rights of the Georgian people - including the freedom of association and expression, the right to privacy, and the right to participate in public affairs – and were therefore incompatible with the fundamental principles on which the Facilitation Agreement had been concluded.

On 2 February 2025, the Commission issued Guidelines⁶ on the implementation of the Council decision on the partial suspension of the application of the Agreement and on the application by Member States of Article 6(1) of Regulation (EU) 2018/1806 as regards holders of

¹ [EUR-Lex - 22011A0225\(02\) - EN - EUR-Lex](#)

² [Regulation - 2017/372 - EN - EUR-Lex](#)

³ 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 last amended by Regulation (EU) 2025/2441 of the European Parliament and of the Council

⁴ Council Decision (EU) 2025/170 of 27 January 2025 on the partial suspension of the application of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas (OJ L, 2025/170, 28 1 2025, ELI <http://data.europa.eu/eli/dec/2025/170/oj>)

⁵ In application of Article 6(1) of Regulation 2018/1806 (‘Visa Regulation’), Member States may provide for exceptions from the visa requirement for countries listed in Annex I of said Regulation, or from the exemption from the visa requirement for holders of diplomatic, service and official passports

⁶ COMMUNICATION FROM THE COMMISSION Providing guidelines on the implementation of Council Decision (EU) 2025/170 of 27 January 2025 on the partial suspension of the application of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas and on the application by Member States of Article 6(1) of Regulation (EU) 2018/1806 as regards holders of diplomatic passports, service/official passports and special passports issued by Georgia (C/2025/1149) [EUR-Lex - 52025XC01149 - EN - EUR-Lex](#)

diplomatic passports, service/official passports and special passports issued by Georgia in order to ensure a harmonised implementation by all Member States of the relevant provisions of Regulation 810/2009 ('Visa Code')⁷.

On 14 July 2025, the European Commission sent a formal letter to the Georgian authorities recalling the obligation of continued compliance with the visa liberalisation benchmarks which were used to assess the appropriateness of granting its nationals an exemption from the visa requirement and requesting detailed information on the implementation of the recommendations set out in the 7th Report under the Visa Suspension Mechanism⁸.

In their response, Georgian authorities failed to demonstrate any meaningful progress in addressing the Commission's recommendations, notably to ensure and uphold the protection of fundamental rights of all Georgian citizens and to 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. The monitoring under the 8th Visa Suspension Mechanism Report⁹ showed that in most areas, no corrective measures were reported and in several others the situation has further deteriorated.

The introduction of a visa requirement for nationals of Georgia holding diplomatic, service and official passports at EU level, is an appropriate and proportionate visa measure in response to the government's inaction that will impact Government officials and not the whole population. It requires the activation of the Visa Suspension Mechanism through the adoption by the Commission of an implementing act in accordance with Article 8e(1) point (a) of Regulation (EU) 2018/1806 as amended by Regulation (EU) 2025/2441.

Analysis

The analysis presented in this report has been carried out in accordance with Article 8c (2) of the Visa Regulation and in the context of the visa suspension as per Article 8e(1) point (a) above mentioned; in particular, the following elements have been taken in consideration:

The continued enforcement of legislative acts adopted since 2024 by the Georgian authorities, including the *Law on Transparency of Foreign Influence* and the *Law on Family Values and Protection of Minors*, as well as the *Foreign Agents Registration Act (FARA)*, amendments to the *Law on Grants*, the *Organic Law on Political Associations of Citizens*, the *Code on Administrative Offences*, and the *Law on Broadcasting*, restricts fundamental rights and freedoms and contradicts Georgia's international and European commitments.

The Commission therefore considers that Georgia has regressed systematically and deliberately on key governance and rule-of-law benchmarks that formed the basis for the granting of visa-free travel to the EU following the visa liberalisation dialogue. This situation constitutes a clear case of backtracking on commitments made under the visa liberalisation process and undermines the mutual trust on which the visa-free regime is based.

Georgia no longer complies with the specific requirements based on Article 1 used to grant that exemption, including considerations of human rights and fundamental freedoms within the

⁷ Regulation (EC) 810/2009 of the European Parliament and the Council of 13 July 2009 establishing a Community Code on Visas (OJ L 243, 15 9 2009, p 1, ELI: <http://data.europa.eu/eli/reg/2009/810/oj>)

⁸ COM(2024) 571 final: eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52024DC0571

⁹ COM/2025/792 final

Union's external relations. This substantiates the ground for suspension set out in **Article 8a(1), point (g)** of Regulation (EU) 2018/1806.

In addition, considering the European Council conclusions of 27 June 2024¹⁰ and 17 October 2024¹¹ asserting that Georgia's course of action jeopardises its European path, and de facto halts its accession process; the developments recorded in the Seventh¹² and Eighth reports under the visa suspension mechanism, as well as the findings of the 2025 Enlargement Report¹³ establishing that Georgian authorities have failed to implement most recommendations issued in previous reports and has instead further regressed in key areas of governance and fundamental rights; subsequent Union-level steps including the Council decision on the partial suspension of the EU–Georgia Visa Facilitation Agreement on 27 January 2025¹⁴ and the Commission guidelines recommending national visa requirements for holders of diplomatic, service or official and special passports¹⁵, it can be concluded that there has been a significant deterioration in the Union's external relations with Georgia, caused by grave violations of fundamental freedoms substantiating the ground for suspension under **Article 8a (1), point (h) (ii)** of Regulation (EU) 2018/1806.

Moreover, the Venice Commission urgent opinion on several recent pieces of legislation¹⁶, the statements by the United Nations High Commissioner for Human Rights on the Law on Family Values and Protection of Minors¹⁷ and by the Council of Europe on the standards on peaceful assembly and use of force¹⁸ demonstrate the existence of serious breaches of international standards within the meaning of **Article 8a(1), point (h)(iii)** of said Regulation.

In accordance with **Article 8e(1) point (a)** of Regulation (EU) 2018/1806 (Visa Regulation) and on the basis of the grounds for suspension set out in **Article 8a(1), point (g) and point (h)**

¹⁰ [euco-conclusions-27062024-en.pdf](#)

¹¹ [20241017-euco-conclusions-en.pdf](#)

¹² COM(2024) 571 final: [eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52024DC0571](#)

¹³ Commission Staff Working Document "Georgia 2025 Report", SWD(2025) 757 final

¹⁴ Council Decision (EU) 2025/170 of 27 January 2025 on the partial suspension of the application of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas (OJ L, 2025/170, 28.1.2025, ELI: <http://data.europa.eu/eli/dec/2025/170/oj>)

¹⁵ COMMUNICATION FROM THE COMMISSION Providing guidelines on the implementation of Council Decision (EU) 2025/170 of 27 January 2025 on the partial suspension of the application of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas and on the application by Member States of Article 6(1) of Regulation (EU) 2018/1806 as regards holders of diplomatic passports, service/official passports and special passports issued by Georgia (C/2025/1149) EUR-Lex - 52025XC01149

¹⁶ [Georgia - Urgent Opinion on the Law of Georgia on Transparency of Foreign Influence, issued on 21 May 2024, pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure, endorsed by the Venice Commission at its 139th Plenary Session \(Venice, 21-22 June 2024\) - Venice Commission of the Council of Europe Opinion on the draft constitutional law on Protecting Family Values and Minors, adopted by the Venice Commission on 21-22 June 2024, Urgent Opinion on amendments to the Code of administrative offences and the Law on assemblies and demonstrations, endorsed by the Venice Commission on 14-15 March 2025 Opinion on the Law on the Registration of Foreign Agents, the amendments to the Law on Grants and other Laws relating to "foreign influence", adopted by the Venice Commission on 9-10 October 2025.](#)

¹⁷ [Georgia must repeal discriminatory law targeting LGBT persons and human rights activists. UN experts | OHCHR](#)

¹⁸ [Georgian authorities must fulfil their obligation to uphold the right of peaceful assembly - Council of Europe Office in Georgia](#)

(ii) and (iii), the Commission has decided to launch the procedure to temporarily suspend the exemption from the visa requirement for nationals of Georgia holding diplomatic, service and official passports. Considering that the Georgian authorities are responsible for the deterioration of the situation and for the violation of human rights and fundamental freedoms through the legislation they adopted, and taking into account the consequences that suspension would have on the population of Georgia, the suspension should be limited, at this stage, to holders of diplomatic, service, and official passports issued by the Government of Georgia, in order to mitigate its impact on the general population.

Conclusion

Taking into account the relevant data, reports and statistics, the Commission has concluded that by taking measures that go against the principles underpinning visa liberalisation (which is indeed to enhance people-to-people contacts and promote shared values, including respect for human rights and democratic principles) Georgian authorities have failed to respect the specific requirements stemming from the visa liberalisation dialogue, fundamental rights, democratic standards and international legal standards. As such, Georgian authorities' actions are inconsistent with the norms and values of the Union, and thus hamper the steady development of economic, humanitarian, cultural, scientific and other ties between the Union and Georgia. These elements corroborate the significant deterioration in the Union's external relations with Georgia.