

Brussels, 27 April 2026  
(OR. en)

7217/1/26  
REV 1

**LIMITE**

**VISA 29  
MIGR 90  
ASILE 35  
FRONT 67  
IXIM 81  
RELEX 408  
COMIX 70**

**CH  
IS  
LI  
NO**

**NOTE**

---

From: Commission services

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

---

Subject: EU visa policy strategy - discussion paper on a new assessment framework for visa exemptions

---

Delegations will find in the Annex the discussion paper on a new assessment framework for visa exemptions, revised by the Commission services on the basis of the discussion held at the Visa Working Party meeting of 27 March 2026.

Delegations are kindly requested to pay particular attention to the sensitive nature of the paper and protect it accordingly.

**Discussion paper on a new assessment framework for visa exemptions**

The ability to grant visa-free travel to third countries constitutes a powerful tool to advance the EU's and the Member States' strategic interests at home and abroad. For many third countries, the prospect of obtaining visa exemptions can be a strong incentive to improve cooperation with the EU, enabling the EU and its Member States to exert geopolitical leverage in line with EU interests. Nevertheless, currently the process to grant visa free access to the Schengen area can be easier than moving a visa-free country to the visa-required list, even taking account of the modifications introduced by the revised suspension mechanism. That is why it is essential to ensure that the process to grant visa-free access in the first place is sufficiently rigorous and serves the EU strategic interest in the long run.

In this context, the new EU Visa Strategy, adopted on 29 January 2026, sets out the objective to create a modern system for granting visa exemptions. In order to achieve this objective, the Commission is developing a new assessment framework with a methodology for evaluating current visa-required countries as potential candidates for visa exemptions, with whom to start a Visa Waiver Process (VWP).

This paper presents the main elements of the methodology underpinning this assessment of countries candidates to enter into a VWP, divided into two parts:

- 1/ The methodology to identify a third country for a possible VWP, including the identification of the criteria used for the assessment, the flexibility safeguards built into the system and the consultation of Member States.
- 2/ A more detailed description of the set of identified criteria, for which relevant thresholds will be identified in a second stage.

At the end, the paper provides key questions to guide the exchange of views with Member States on the proposed methodology.

**I. Methodology**

**1/ Identification of possible third countries candidates for a Visa Waiver Process (VWP)**

The assessment framework aims on the one hand to provide a basis for the Commission to obtain a comprehensive overview of the situation of the third country as a possible candidate for a VWP while, in parallel, remaining a workable tool, avoiding overly long and detailed lists of thematic criteria.

To achieve this objective, the methodology is based on two pillars: one which comprises of six quantitative criteria and one of five rather qualitative criteria. All criteria are described more in detail in the table below under point II. The selection of the criteria is primarily based on Visa Regulation (Article 1) <sup>(1)</sup>. A regular review of the criteria can be envisaged, in case of need to capture evolving phenomena and new developments.

The main criteria of the methodology, once agreed, could be used in communication with third countries, taking into account the elements of **flexibility embedded in the methodology (see below)**.

#### **a) Quantitative pillar**

The quantitative pillar contains six criteria, which cover migration as well as border & security, notably through the visa refusals rate.

The main criterion that should always be complied with is the **visa refusal rate**, which best captures the risks linked to the other aspects, including irregular migration from a given third country.

Other **five additional criteria** that should also be looked into are: refusals of entry, number of return decisions issued by Member States for nationals of the third country, number of nationals of the third country found to be illegally present in the EU, number of illegal border crossings (IBC) by nationals of the third country, number of asylum applications by nationals of a given third-country. For these five additional criteria, the 4-year trend should be examined. Currently these indicators may not necessarily capture the full picture of the phenomenon they are meant to reflect (e.g. illegal border crossings are not all detected, overstays are not all identified, etc.). It is therefore preferable to look at trends rather than absolute figures and revise them when more reliable and complete set of data would be available (for example through the EES for overstays).

Non-compliance with these additional criteria would not necessarily mean that the third country will not be selected for a visa waiver process, which would remain subject to a thorough consideration based on the situation of each third country, the actual number of criteria that are problematic for that, and the qualitative assessment.

---

<sup>(1)</sup> This Regulation determines the third countries whose nationals are subject to, or exempt from, the visa requirement, on the basis of a case-by-case assessment of a variety of criteria relating, inter alia, to illegal immigration, public policy and security, economic benefit, in particular in terms of tourism and foreign trade, and the Union's external relations with the relevant third countries, including, in particular, considerations of human rights and fundamental freedoms, as well as the implications of regional coherence and reciprocity.

## **b) Qualitative pillar**

The qualitative pillar is based on five criteria focusing broadly on foreign policy alignment with EU interests and values as well as on migration, border and security cooperation. These are criteria for which the assessment would not depend on specific numerical thresholds. Rather, they would support, where relevant for the third country concerned, the assessment of the third country's ability and commitment to work alongside the EU, meeting EU interests and addressing EU's concerns in relevant areas, with a focus on migration, border and security. For example, they look at the needs for the third country to cooperate with the EU on return and readmission, to curb migrant smuggling and trafficking in human beings, and to combat terrorism as well as organized crime and other forms of serious crime, and the level of document security and identity management in the third country, including compliance with ICAO standards, strength of the identity management system, and procedures for obtaining citizenship.

The qualitative nature of the criteria under Pillar II complements those under Pillar I and endows the EU with a margin of discretion on the appreciation on whether and to what extent a third country fulfills them.

### **Flexibility of the assessment: safeguarding the EU interest**

Before entering into a VWP, a third country should in principle comply with all criteria, both quantitative and qualitative.

However, maintaining a margin of discretion for the EU over the final decision whether a country is a viable candidate to pursue a Visa Waiver Process has to be embedded in the whole assessment framework. This is essential to make the EU visa policy an effective and impactful amplifier of European strategic interests and priorities and for safeguarding the EU's sovereign decision-making process.

In this context, flexibility applies in two ways.

1. Firstly, the identified criteria will be applied based on an individualized assessment, taking into consideration the specificities of each third country. Whereas the visa refusal rate threshold should always be met, the other quantitative criteria should be analysed in the light of four-year trends as a way to complement the quantitative assessment. Not all quantitative criteria should necessarily be complied with to open a visa waiver process, but negative trends would indicate that these issues should be tackled in the context of the visa waiver process and may be reflected in the selection of benchmarks on which progress must be achieved at the beginning of the visa waiver process.
2. Secondly, ultimately the Commission would retain the discretion to initiate a VWP or not. This means that a country fulfilling all criteria might still not be chosen for a VWP.

Ultimately, the discretion exercised in the assessment of a possible candidate for a VWP will be based on EU interests, core priorities and long-term strategic objectives. This could also include considerations on prioritisation of countries based on available resources.

Once the main methodology is agreed, separate consideration should be given to the modalities with which a third country would engage in a VWP, how structured or formalized these should be, and to the type of communication about this methodology to the various third countries.

### **Consultation of Member States**


Member States will have an important role in and will be involved in the different phases of the procedure. For example, Member States will contribute to the assessment of the fulfilment of the different criteria in the context of the Visa Working Party, in coordination if needed with other Working Parties and will be consulted when the Commission selects a third country for a Visa Waiver Process. The final decision will remain with the Commission.

### **2/ Beginning of the Visa Waiver Process, possibly leading to a Visa Waiver Agreement**

Once a country has been selected as a candidate for visa-free travel, the process will be complemented by a bilateral dialogue during which tailor-made benchmarks are defined in areas where progress is expected by that country. These tailor-made benchmarks will be included in a Visa Waiver Action Plan drafted by the Commission and endorsed by the Council. These benchmarks could cover – as in recent / ongoing visa liberalisation dialogues – document security, integrated border management, migration management, public order and security cooperation and external relations and fundamental rights. Relevant policy areas will be tailored to the given country. Throughout the VWP, a dialogue with the country is held based on the achievement of sufficient progress on these benchmarks. Regular reports are made by the Commission to the Council and the European Parliament on the fulfilment of the benchmarks by the country.

If the outcome of the VWP is successful and the country has met the relevant benchmarks, a proposal for exemption can be adopted by the COM, and a Visa Waiver Agreement (VWA) negotiation can be launched.

## **II. Description of the set of criteria**

 Criteria that will have to be complied with before the start of the VWP are marked in orange.

| Quantitative Criteria   | Period of data considered             | Compliance – indicative thresholds  |
|---|---------------------------------------|---|
| 1. Visa refusal rate <sup>(2)</sup>   | Four-year trend before the assessment | Visa refusal rate below 3% for nationals of the third country concerned applying in their country |
| 2. Refusals of entry  | Four-year trend before the assessment | Significant decrease on the four-year period  |
| 3. Return decisions issued by Member States for nationals of the third country <sup>(3)</sup> | Four-year trend before the assessment | Significant decrease on the four-year period  |

<sup>(2)</sup> Yearly visa refusal rate per nationality on the total amount of visa applications. Source: eu-LISA

<sup>(3)</sup> The number of third country nationals found to be illegally present in the territory of a Member State who are subject to an administrative or judicial decision or act stating or declaring that their stay is illegal and imposing an obligation to leave the territory of the Member State. Source: ESTAT

|  |                                       |  |
|--|---------------------------------------|--|
| 4. Nationals of the third country found to be illegally present in the EU <sup>(4)</sup> | Four-year trend before the assessment | Significant decrease on the four-year period |
| 5. Illegal border crossings by nationals of the third country <sup>(5)</sup>             | Four-year trend before the assessment | Significant decrease on the four-year period |
| 6. Number of asylum applications   | Four-year trend before the assessment | Significant decrease on the four-year period |

### Explanation of the choice of criteria that should always be complied with:

Criterion **number one** on visa refusal rate also reflects the risk of illegal migration to the EU, one of the main reasons for refusals being the existence of doubts on the will to return (demonstrated for ex by false or contradictory statements or forged documents) but focuses also on concerns linked to border and security.

Criterion **number two** focuses on the number of return decisions issued by Member States for nationals of the third country reflects the number of illegally staying third country nationals ordered to leave.

Criteria **number three, four and five** three reflect the risks of illegal migration to the EU by nationals of the visa-required third country concerned. This risk would be amplified by the lifting of the visa requirement.

Criterion **number six** concerns the volume of asylum applications by nationals of a given third-country.

### Qualitative criteria

All qualitative criteria will be assessed (except where not relevant/applicable for a given third-country). Before a start of a visa Waiver Process, the outcome of the assessment of each relevant/applicable criteria should be overall positive. Criteria **one to three** will be always assessed because they are relevant for all third-countries.

| Qualitative Criteria   | Elements for assessment  | Outcome of the assessment        |
|--|--|----------------------------------|
| 1. Alignment with the Union's external relations and interests | Qualitative assessment of the Commission, the EEAS, and Member States, based among others on:<br><i>1) serious breach of the principles set out in the UN Charter and/or grave violations of international human rights or humanitarian law</i><br><i>2) hostile act against the Union or Member States and/or involvement in a major harmful initiative or event at international level</i> | Overall positive<br>Not positive |

<sup>(4)</sup> The number of third country nationals found to be on the territory of a Member State and who do not fulfil, or no longer fulfil, the conditions for stay or residence in that Member State. Source: ESTAT

<sup>(5)</sup> The number of illegal border crossings (IBCs) refers to the number of third country or EU/Schengen Associated Country nationals detected by Member State authorities when entering illegally the territory between border crossing points (BCPs) at external borders. However, it is possible that a third country national is detected more than once entering/exiting illegally the territory of a Member State. Source: Frontex

|   |   |  |
|---|---|--|
|   | <p>3) a CFSP sanctions regime targeting that country.</p> <p>4) Lack of visa alignment policy, i.e., if different from the EU, a visa regime with other third countries that does not present any security/irregular migration with the EU</p> <p>5) Operation of a Citizenship-by-investment programme by the third-country</p>  |  |
| 2. Economic interest for the EU   | Qualitative assessment of the Commission and Member States on the potential EU economic benefit stemming from a visa-free regime with the third country concerned including considering EU economic security (in its various dimensions, such as diversification of supply chains, raw material supply, connectivity etc...) tourism, energy and , and trade.   | Overall positive<br>Not positive                 |
| 3. Travel document and border management cooperation  | Qualitative assessment of the Commission and Member States based on level of document security (compulsory issuing of biometric travel documents), identity management systems and overall cooperation with the EU, including EU Agencies as relevant.  | Overall positive<br>Not positive                 |
| 4. Level of cooperation on security and justice (including fight against terrorism and organised crime)                                       | Two-step approach:<br><p>1) <i>Situational check: security threats are being posed by nationals (or residents) of a certain third country</i></p> <p>2) <i>Based on that, evaluation of the level of cooperation between the authorities of a third country and the EU (where relevant, including EU Agencies) to counter these threats.</i></p>  | Not relevant<br>Overall positive<br>Not positive |
| 5. Level of cooperation on countering migrant smuggling and trafficking of human beings, including as a country of transit of irregular flows | Qualitative assessment of the Commission and Member States based among others on:<br><p>1) <i>Endorsement of the Global Alliance Joint Declaration</i></p> <p>2) <i>Being a State Party to the United Nations Convention on Transnational Organised Crime and its relevant protocols (smuggling of migrants and trafficking in persons)</i></p> <p>3) <i>Operational cooperation (e.g. existing Partnership and Cooperation agreements, law enforcement cooperation with EU and Member States, level of information exchange etc.).</i></p> | Not relevant<br>Overall positive<br>Not positive |
| 6. Cooperation on return and readmission  | Qualitative assessment of the Commission and Member States, including under Article 25a, where relevant, to complement the quantitative criteria under Pillar I.  | Not relevant<br>Overall positive<br>Not positive |

### III. Question to Member States

*Considering the adjustments made to the initial version, can you agree broadly with the methodology proposed?*