



**2023/0371(COD)**

18.3.2024

# **AMENDMENTS**

## **7 - 134**

**Draft report**

**Matjaž Nemec**

(PE759.070v01-00)

Amending Regulation (EU) 2018/1806 as regards the revision of the suspension mechanism

Proposal for a regulation

(COM(2023)0642 – C9-0392/2023 – 2023/0371(COD))



**Amendment 7**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**

**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*(1 a) Visa-free travel brings significant benefits to both the Union and third countries alike. The economic, social and cultural relations with third countries create prosperity and establish the Union as an open and free bloc. The Union's common visa policy, in this regard, is a cornerstone of its engagement with third countries.*

Or. en

**Amendment 8**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**

**Recital 1 b (new)**

*Text proposed by the Commission*

*Amendment*

*(1 b) At the same time, the evolving geopolitical context has brought new challenges linked to visa-free travel. Abuse of and security risks following from visa-free travel to the EU require a swift and adequate response. It is imperative that the Union is equipped to deal with these challenges accordingly.*

Or. en

**Amendment 9**

**Miguel Urbán Crespo**

**Proposal for a regulation**

**Recital 2**

**(2) The mechanism for the temporary suspension of the exemption from the visa requirement for the nationals of a third country listed in Annex II to Regulation (EU) 2018/1806 ('the suspension mechanism') should be strengthened for the Union to have at its disposal a more efficient safeguard aimed at preventing a wider range of irregular migration, public policy and security risks arising from the third countries listed in that Annex II, as well as the abuse of the visa exemption through the operation of investor citizenship schemes by those third countries.**

**deleted**

Or. en

#### **Amendment 10**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

#### **Proposal for a regulation**

##### **Recital 2**

(2) The mechanism for the temporary suspension of the exemption from the visa requirement for the nationals of a third country listed in Annex II to Regulation (EU) 2018/1806 ('the suspension mechanism') should be strengthened for the Union to have at its disposal a more efficient safeguard aimed at preventing a wider range of irregular migration, public policy and security risks arising from the third countries listed in that Annex II, **as well as** the abuse of the visa exemption through the operation of investor citizenship schemes by those third countries.

(2) **For this reason**, the mechanism for the temporary suspension of the exemption from the visa requirement for the nationals of a third country listed in Annex II to Regulation (EU) 2018/1806 ('the suspension mechanism') should be strengthened for the Union to have at its disposal a more efficient safeguard aimed at preventing a wider range of irregular migration, public policy and security risks arising from the third countries listed in that Annex II, **or** the abuse of the visa exemption through the operation of investor citizenship schemes by those third countries, **and as a diplomatic tool following stark deterioration of external relations with relevant third countries.**

Or. en

## Amendment 11

Tineke Strik

### Proposal for a regulation

#### Recital 2

*Text proposed by the Commission*

(2) The mechanism for the temporary suspension of the exemption from the visa requirement for the nationals of a third country listed in Annex II to Regulation (EU) 2018/1806 ('the suspension mechanism') should be strengthened for the Union to have at its disposal a more efficient safeguard aimed at preventing ***a wider range of irregular migration, public policy and security risks arising from the third countries listed in that Annex II, as well as*** the abuse of the visa exemption through the operation of investor citizenship schemes by those third countries.

*Amendment*

(2) The mechanism for the temporary suspension of the exemption from the visa requirement for the nationals of a third country listed in Annex II to Regulation (EU) 2018/1806 ('the suspension mechanism') should be strengthened for the Union to have at its disposal a more efficient safeguard aimed at preventing the abuse of the visa exemption through the operation of investor citizenship schemes by those third countries.

Or. en

## Amendment 12

Tineke Strik

### Proposal for a regulation

#### Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

***(2 a) It should also be possible to trigger the suspension mechanism in the event of serious breaches by a third country of the principles of the United Nations Charter, or in case of grave violations of the obligations deriving from international human rights law or international humanitarian law, having regard to the principles that shall guide the EU external actions as enshrined in Article 21(1).***

**Amendment 13**  
**Miguel Urbán Crespo**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) In particular, the use of the suspension mechanism should be facilitated by broadening the possible grounds for suspension, ***adapting the relevant thresholds and procedures***, and strengthening the Commission's monitoring and reporting obligations.

*Amendment*

(3) In particular, the use of the suspension mechanism should be facilitated by broadening the possible grounds for suspension, , and strengthening the Commission's monitoring and reporting obligations. ***Furthermore, the Commission must assess the impact of the the proposed measure on the basis of the principle of visa reciprocity which is a principle of EU visa policy in general.***

Or. en

**Amendment 14**  
**Tineke Strik**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) In particular, the ***use of*** the suspension mechanism should be ***facilitated by broadening the possible grounds for suspension, adapting*** the relevant thresholds and procedures, and strengthening the Commission's monitoring and reporting obligations.

*Amendment*

(3) In particular, the ***criteria for triggering*** the suspension mechanism should be ***clarified, making*** the relevant thresholds and procedures ***more precise***, and strengthening the Commission's monitoring and reporting obligations.

Or. en

**Amendment 15**  
**Matjaž Nemec**

**Proposal for a regulation**  
**Recital 3**

*Text proposed by the Commission*

(3) In particular, the use of the suspension mechanism should be facilitated by broadening the possible grounds for suspension, adapting the relevant ***thresholds and*** procedures, and strengthening the Commission's monitoring and reporting obligations.

*Amendment*

(3) In particular, the use of the suspension mechanism should be facilitated by broadening the possible grounds for suspension, adapting the relevant procedures, and strengthening the Commission's monitoring and reporting obligations.

Or. en

**Amendment 16**  
**Matjaž Nemec**

**Proposal for a regulation**  
**Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***(3 a) Where the Commission considers suspending the visa exemption or in cases pursuant to notification by a Member State, its assessment should take into account the potential impact of the suspension on the nationals of the third country concerned.***

Or. en

**Amendment 17**  
**Tineke Strik**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

*Amendment*

***(4) The Union has concluded a number of agreements on the short-stay visa waiver with countries listed in Annex II to Regulation (EU) 2018/1806 which may include different grounds for***

***deleted***

*suspension or different procedures than the ones set out in the suspension mechanism, and may conclude further of those agreements in the future. As the Union respects international agreements and, thus, is bound by these agreements, the relevant different provisions set out in those agreements should be applied instead of the relevant provisions of the suspension mechanism.*

Or. en

**Amendment 18**  
**Matjaž Nemec**

**Proposal for a regulation**  
**Recital 4**

*Text proposed by the Commission*

(4) The Union has concluded a number of agreements on the short-stay visa waiver with countries listed in Annex II to Regulation (EU) 2018/1806 which may include different grounds for suspension or different procedures than the ones set out in the suspension mechanism, ***and may conclude further of those agreements in the future. As the Union respects international agreements and, thus, is bound by these agreements,*** the relevant ***different provisions set out*** in those agreements should be ***applied instead of the relevant provisions of*** the suspension mechanism.

*Amendment*

(4) The Union has concluded a number of agreements on the short-stay visa waiver with countries listed in Annex II to Regulation (EU) 2018/1806 which may include different grounds for suspension or different procedures than the ones set out in the suspension mechanism. ***It should be possible for the Union to suspend the visa-free regime, also at the level of Union law, therefore the relevant grounds for suspension*** in those agreements should be ***provided in*** the suspension mechanism. ***However, the use of the grounds for suspension set out in short-stay visa waiver agreements should be limited to the scope of application of such agreements.***

Or. en

**Amendment 19**  
**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**  
**Recital 4 a (new)**



*Text proposed by the Commission*

*Amendment*

***(4 a) The suspension mechanism should ensure a safeguard against threats to public order and security. This includes immediate risks to the Union's internal security, such as terrorism, organised crime, cyber-attacks and trafficking in humans, drugs and arms. In regards to the external dimension of internal security, priorities identified by the European Multidisciplinary Platform against Criminal Threats (EMPACT) should be taken into account.***

Or. en

## **Amendment 20**

**Matjaž Nemec**

### **Proposal for a regulation**

#### **Recital 5**

*Text proposed by the Commission*

*Amendment*

***(5) In its conclusions of 22 October 2021, the European Council invited the Commission to propose any necessary changes to the Union's legal framework and concrete measures to ensure an immediate and appropriate response to hybrid threats in line with Union law and international obligations. Therefore, it should be possible to trigger the suspension mechanism in case of risks or threats to the public policy or internal 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.***

***deleted***

Or. en

## **Amendment 21**

**Tineke Strik**

**Proposal for a regulation**

**Recital 5**

*Text proposed by the Commission*

*Amendment*

**(5) In its conclusions of 22 October 2021, the European Council invited the Commission to propose any necessary changes to the Union's legal framework and concrete measures to ensure an immediate and appropriate response to hybrid threats in line with Union law and international obligations. Therefore, it should be possible to trigger the suspension mechanism in case of risks or threats to the public policy or internal 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.**

**deleted**

Or. en

**Amendment 22**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**

**Recital 5**

*Text proposed by the Commission*

*Amendment*

**(5) In its conclusions of 22 October 2021, the European Council invited the Commission to propose any necessary changes to the Union's legal framework and concrete measures to ensure an immediate and appropriate response to hybrid threats in line with Union law and international obligations. Therefore, it should be possible to trigger the suspension mechanism in case of risks or threats to the public policy or internal security of the Member States arising from hybrid threats such as situations of state-sponsored instrumentalisation of migrants aimed at**

**(5) In its conclusions of 22 October 2021, the European Council invited the Commission to propose any necessary changes to the Union's legal framework and concrete measures to ensure an immediate and appropriate response to hybrid threats in line with Union law and international obligations. Therefore, it should be possible to trigger the suspension mechanism in case of risks or threats to the public policy or internal 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.

destabilising or undermining society and key institutions, *as referred to in Article 1(4)(b), first subparagraph, of the Crisis Regulation. Such threats to the public policy or internal security of the Member States arising from hybrid threats may also relate to clandestine foreign interference in political processes, cyber operations, and economic espionage.*

Or. en

**Amendment 23**  
**Miguel Urbán Crespo**

**Proposal for a regulation**  
**Recital 5**

*Text proposed by the Commission*

(5) In its conclusions of 22 October 2021, the European Council invited the Commission to propose any necessary changes to the Union's legal framework and concrete measures to ensure an immediate and appropriate response to **hybrid threats** in line with Union law and international obligations. **Therefore, it should be possible to trigger the suspension mechanism in case of risks or threats to the public policy or internal 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.**

*Amendment*

(5) In its conclusions of 22 October 2021, the European Council invited the Commission to propose any necessary changes to the Union's legal framework and concrete measures to ensure an immediate and appropriate response to **challenges** in line with Union law and international obligations.

Or. en

**Amendment 24**  
**Malik Azmani, Olivier Chastel**

**Proposal for a regulation**  
**Recital 5 a (new)**

**(5 a) *It is also important that the security of documents is upheld according to European Union standards. The Union has put in place advanced security features and biometric requirements for travel documents. Such measures prevent the falsification and counterfeiting of travel documents and establish a reliable link between the document and its holder. To ensure valid and trustworthy travel documents, countries listed in Annex II should issue documents accordingly.***

Or. en

## **Amendment 25**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

### **Proposal for a regulation**

#### **Recital 6**

*Text proposed by the Commission*

(6) Investor citizenship schemes operated by third countries listed in Annex II to Regulation (EU) 2018/1806 allow visa-free travel to the Union to third-country nationals that would otherwise be visa required. Under an investor citizenship scheme, citizenship is granted in return for pre-determined payments or investments without any genuine link to the third country concerned. While the Union respects the right of sovereign countries to decide on their own naturalisation procedures, visa-free third countries should be deterred from using visa-free access to the Union as a tool for leveraging individual investment in return for their citizenship. To prevent visa-free access to the Union being used for this purpose, it should be possible to suspend the visa exemption for a third country which chooses to operate such investor citizenship schemes, whereby citizenship is granted without any genuine link to the

*Amendment*

(6) Investor citizenship schemes operated by third countries listed in Annex II to Regulation (EU) 2018/1806 allow visa-free travel to the Union to third-country nationals that would otherwise be visa required. Under an investor citizenship scheme, citizenship is granted in return for pre-determined payments or investments without any genuine link to the third country concerned. While the Union respects the right of sovereign countries to decide on their own naturalisation procedures, visa-free third countries should be deterred from using visa-free access to the Union as a tool for leveraging individual investment in return for their citizenship. ***A lack of comprehensive security checks, vetting procedures and due diligence pose several serious security risks for Union citizens, such as those stemming from money laundering and corruption.*** To prevent visa-free access to the Union being used for this purpose, it

third country concerned.

should be possible to suspend the visa exemption for a third country which chooses to operate such investor citizenship schemes, whereby citizenship is granted without any genuine link to the third country concerned.

Or. en

## **Amendment 26**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

### **Proposal for a regulation**

#### **Recital 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***(6 a) The triggering of the suspension mechanism should be considered in the wider context of the Union's relations with the relevant third country. Specific consideration should be paid to the Union's diplomatic and external relations with third countries. This includes considerations of human rights and fundamental freedoms, violations of bilateral agreements between the Union and third countries, hostile acts towards the Union or Member States and non-compliance or non-alignment with relevant Union sanctions.***

Or. en

## **Amendment 27**

**Miguel Urbán Crespo**

### **Proposal for a regulation**

#### **Recital 7**

*Text proposed by the Commission*

*Amendment*

***(7) Where the visa policy of a third country listed in Annex II to Regulation (EU) 2018/1806 is not aligned with the visa policy of the Union as regards the list***

***deleted***

*of third countries whose nationals are required to be in possession of a visa when crossing the external borders of the Member States, this could result in irregular migration to the Union, in particular where the concerned third country is in close geographic proximity to the Union. Therefore, it should be possible to trigger the suspension mechanism where, following an assessment, the Commission concludes that there is a risk of a substantial increase in the number of third-country nationals, other than nationals of that third country, who arrive legally in the territory of that third country and then irregularly enter the territory of the Member States.*

Or. en

**Amendment 28**  
**Tineke Strik**

**Proposal for a regulation**  
**Recital 7**

*Text proposed by the Commission*

*Amendment*

*(7) Where the visa policy of a third country listed in Annex II to Regulation (EU) 2018/1806 is not aligned with the visa policy of the Union as regards the 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 could result in irregular migration to the Union, in particular where the concerned third country is in close geographic proximity to the Union. Therefore, it should be possible to trigger the suspension mechanism where, following an assessment, the Commission concludes that there is a risk of a substantial increase in the number of third-country nationals, other than nationals of that third country, who arrive legally in the*

*deleted*

*territory of that third country and then irregularly enter the territory of the Member States.*

Or. en

## **Amendment 29**

**Jan-Christoph Oetjen, Moritz Körner**

### **Proposal for a regulation**

#### **Recital 7**

*Text proposed by the Commission*

(7) Where the visa policy of a third country listed in Annex II to Regulation (EU) 2018/1806 is not aligned with the visa policy of the Union as regards the 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 could result in irregular migration to the Union, in particular where the concerned third country is in close geographic proximity to the Union. Therefore, it should be possible to trigger the suspension mechanism where, following an assessment, the Commission concludes that there is a ***risk of a*** substantial increase in the number of third-country nationals, other than nationals of that third country, who arrive legally in the territory of that third country and then irregularly enter the territory of the Member States.

*Amendment*

(7) Where the visa policy of a third country listed in Annex II to Regulation (EU) 2018/1806 is not aligned with the visa policy of the Union as regards the 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 could result in irregular migration to the Union, in particular where the concerned third country is in close geographic proximity to the Union. Therefore, it should be possible to trigger the suspension mechanism where, following an assessment, the Commission concludes that there is a substantial increase in the number of third-country nationals, other than nationals of that third country, who arrive legally in the territory of that third country and then irregularly enter the territory of the Member States.

Or. en

## **Amendment 30**

**Miguel Urbán Crespo**

### **Proposal for a regulation**

#### **Recital 8**

*Text proposed by the Commission*

*Amendment*

(8) The thresholds to trigger the suspension mechanism in case of a substantial increase in the number of nationals of a third country refused entry or found to be staying in the Member State's territory without a right to do so, or in the number of *asylum applications from the nationals of that third country for which the recognition rate is low, or in the number of* serious criminal offences linked to the nationals of that third country, should be subject to a case-by-case assessment *by the Commission. In particular, the Commission should be able to assess whether there are specific circumstances, in the cases notified by Member States or under its own analysis, which would justify the application of lower or higher thresholds than those indicated in relevant provisions of Regulation (EU) 2018/1806. The Commission's assessment should take into account, for example, the number of unauthorised crossings of the external borders of the Member States, unfounded asylum applications or criminal offences in proportion to the number and size of Member States affected and the impact of those numbers on the overall migratory situation, functioning of the asylum systems or internal security of the Member States affected, as well as actions taken by the third country concerned to remedy the situation.*

(8) The thresholds to trigger the suspension mechanism in case of a substantial increase in the number of nationals of a third country refused entry or found to be staying in the Member State's territory without a right to do so, or in the number of serious criminal offences linked to the nationals of that third country, should be subject to a case-by-case assessment.

Or. en

## Amendment 31

Tineke Strik

### Proposal for a regulation

#### Recital 8

*Text proposed by the Commission*

(8) The thresholds to trigger the suspension mechanism in case of a substantial increase in the number of

*Amendment*

(8) The thresholds to trigger the suspension mechanism in case of a substantial increase in the number of



nationals of a third country refused entry or found to be staying in the Member State's territory without a right to do so, or in the number of asylum applications from the nationals of that third country for which the recognition rate is low, ***or in the number of serious criminal offences linked to the nationals of that third country***, should be ***subject to a case-by-case assessment by the Commission***. In particular, the Commission should ***be able to*** assess whether there are specific circumstances, in the cases notified by Member States or under its own analysis, which would justify the application of ***lower or higher thresholds than those indicated in*** relevant provisions of Regulation (EU) 2018/1806. ***The Commission's assessment should take into account, for example, the number of unauthorised crossings of the external borders of the Member States, unfounded asylum applications or criminal offences in proportion to the number and size of Member States affected and the impact of those numbers on the overall migratory situation, functioning of the asylum systems or internal security of the Member States affected, as well as actions taken by the third country concerned to remedy the situation.***

nationals of a third country refused entry or found to be staying in the Member State's territory without a right to do so, or in the number of asylum applications from the nationals of that third country for which the recognition rate is low, should be ***clearly set in order to avoid diverging interpretations and the risk of uneven practices***. In particular, the Commission should assess whether there are specific circumstances, in the cases notified by Member States or under its own analysis, which would justify the application of ***the*** relevant provisions of Regulation (EU) 2018/1806. ***Additionally, taking into account the impact that a suspension of the exemption from the visa requirement might have on the relations with the third country concerned and on the rights of its nationals, the Commission should thoroughly assess the necessity, proportionality and consequences of that suspension before adopting the relevant act. In carrying out this assessment, the Commission should take into account the impact of the proposed suspension on the the overall external relations of the Union and its Member States with the third country concerned, on the rights of the nationals of the third country concerned, on the principles of visa reciprocity and on non-discrimination, and evaluate whether the proposed suspension would represent an appropriate measure to remedy the situation. Attention should also be given to the mobility needs of human rights defenders, especially in case of deterioration of the human rights' situation in the third country concerned, and the potential risks that the suspension would entail on the continuity and effectiveness of their work.***

Or. en

## Amendment 32

Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner

**Proposal for a regulation**  
**Recital 8**

*Text proposed by the Commission*

(8) The thresholds to trigger the suspension mechanism in case of a substantial increase in the number of nationals of a third country refused entry or found to be staying in the Member State's territory without a right to do so, or in the number of asylum applications from the nationals of that third country for which the recognition rate is low, or in the number of serious criminal offences linked to the nationals of that third country, should be subject to a case-by-case assessment by the Commission. In particular, the Commission should be able to assess whether there are specific circumstances, in the cases notified by Member States or under its own analysis, which would justify the application of lower or higher thresholds than those indicated in relevant provisions of Regulation (EU) 2018/1806. The Commission's assessment should take into account, for example, the number of unauthorised crossings of the external borders of the Member States, unfounded asylum applications or criminal offences in proportion to the number and size of Member States affected and the impact of those numbers on the overall migratory situation, functioning of the asylum systems or internal security of the Member States affected, as well as actions taken by the third country concerned to remedy the situation.

*Amendment*

(8) The thresholds to trigger the suspension mechanism in case of a substantial increase in the number of nationals of a third country refused entry or found to be staying in the Member State's territory without a right to do so, ***or overstaying the visa-free period***, or in the number of asylum applications from the nationals of that third country for which the recognition rate is low, or in the number of serious criminal offences linked to the nationals of that third country, should be subject to a case-by-case assessment by the Commission. In particular, the Commission should be able to assess whether there are specific circumstances, in the cases notified by Member States or under its own analysis, which would justify the application of lower or higher thresholds than those indicated in relevant provisions of Regulation (EU) 2018/1806. The Commission's assessment should take into account, for example, the number of unauthorised crossings of the external borders of the Member States, unfounded asylum applications or criminal offences in proportion to the number and size of Member States affected and the impact of those numbers on the overall migratory situation, functioning of the asylum systems or internal security of the Member States affected, as well as actions taken by the third country concerned to remedy the situation.

Or. en

**Amendment 33**  
**Malik Azmani, Olivier Chastel**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

(9) For the purpose of notifying to the Commission the circumstances that may amount to a ground for suspension, Member States should be able to take into account reference periods longer than two months in order to identify not only sudden changes in the relevant situation, but also longer-term trends that may justify the use of the visa suspension mechanism.

*Amendment*

(9) For the purpose of notifying to the Commission the circumstances that may amount to a ground for suspension, Member States should be able to take into account reference periods longer than two months in order to identify not only sudden changes in the relevant situation, but also longer-term trends that may justify the use of the visa suspension mechanism. ***In exceptional circumstances that require immediate action, the Commission should accept a reference period shorter than two months when notifications are made by more than one Member State. The reasons for triggering the mechanism in relation to the grounds set out in this regulation should be complete and clear. The Commission shall inform the Council and Parliament about notifications and consequent decisions immediately and comprehensively.***

Or. en

**Amendment 34**

**Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**

**Recital 9**

*Text proposed by the Commission*

(9) For the purpose of notifying to the Commission the circumstances that may amount to a ground for suspension, Member States should be able to take into account reference periods longer than two months in order to identify not only sudden changes in the relevant situation, but also longer-term trends that may justify the use of the visa suspension mechanism.

*Amendment*

(9) For the purpose of notifying to the Commission the circumstances that may amount to a ground for suspension, Member States should be able to take into account reference periods longer than two months ***but no longer than twelve months*** in order to identify not only sudden changes in the relevant situation, but also longer-term trends that may justify the use of the visa suspension mechanism.

Or. en

**Amendment 35**  
**Tineke Strik**

**Proposal for a regulation**  
**Recital 9**

*Text proposed by the Commission*

(9) For the purpose of notifying to the Commission the circumstances that may amount to a ground for suspension, Member States should ***be able to*** take into account reference periods ***longer than*** two months in order to identify ***not only*** sudden changes in the relevant situation, ***but also longer-term trends*** that may justify the use of the visa suspension mechanism.

*Amendment*

(9) For the purpose of notifying to the Commission the circumstances that may amount to a ground for suspension, Member States should take into account reference periods ***of*** two months in order to identify sudden changes in the relevant situation that may justify the use of the visa suspension mechanism.

Or. en

**Amendment 36**  
**Matjaž Nemec**

**Proposal for a regulation**  
**Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9 a) It should be possible for the European Parliament to notifying to the Commission of its view of the existence of the circumstances that may amount to a ground for suspension, in particular in cases of an investor citizenship schemes operated by third countries listed in Annex II to Regulation (EU) 2018/1806, or in cases where visa policy of a third country listed in Annex II to Regulation (EU) 2018/1806 is not aligned with the visa policy of the Union, or in case of a significant and abrupt deterioration in the Union's external relations with a third country listed in Annex II, or in cases of the existence of the grounds for suspension set out in short-stay visa waiver agreements.***

Or. en

## **Amendment 37**

**Charlie Weimers, Patryk Jaki, Vincenzo Sofo, Jorge Buxadé Villalba, Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

### **Proposal for a regulation**

#### **Recital 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9 a) The Commission's systematic monitoring of the specific requirements, which are based on Article 1 and were used to assess the appropriateness of granting visa liberalisation, should pay particular attention to the security dimension to ensure that countries in Annex II are upholding the initial requirements for law and immigration enforcement, passport security, counterterrorism and border control capabilities.***

Or. en

## **Amendment 38**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

### **Proposal for a regulation**

#### **Recital 10**

*Text proposed by the Commission*

*Amendment*

(10) Whenever it considers it necessary, or upon request by the European Parliament or by the Council, the Commission should report on the outcome of its systematic monitoring of the visa-free regimes with all the third countries listed in Annex II to Regulation (EU) 2018/1806. The report should focus on those third countries which, according to the Commission's analysis, present specific problems that, if not addressed, may lead to trigger the suspension mechanism. ***In particular***, the Commission should

(10) Whenever it considers it necessary, or upon request by the European Parliament or by the Council, the Commission should report on the outcome of its systematic monitoring of the visa-free regimes with all the third countries listed in Annex II to Regulation (EU) 2018/1806, The report should focus on those third countries which, according to the Commission's analysis, present specific problems that, if not addressed, may lead to trigger the suspension mechanism. ***Systemic monitoring and reporting shall***

*consider reporting* on countries which have been newly listed in Annex II without undergoing a visa liberalisation dialogue, where it considers it necessary and in particular in the first years following the entry into force of the visa exemption for those countries.

*be done on the basis of data provided by EU Agencies as data stored in the Visa Information System (VIS), Schengen Information System (SIS II), Entry/Exit System (EES), European Travel Information and Authorisation System (ETIAS), and European Criminal Records Information System for Third-Country Nationals (ECRIS-TCN). The Commission should ensure that each third country listed in Annex II is monitored and reported on at least every four years. Furthermore, the Commission should report* on countries which have been newly listed in Annex II without undergoing a visa liberalisation dialogue, where it considers it necessary and in particular in the first years following the entry into force of the visa exemption for those countries.

Or. en

## **Amendment 39**

**Tineke Strik**

### **Proposal for a regulation**

#### **Recital 10**

*Text proposed by the Commission*

(10) Whenever it considers it necessary, or upon request by the European Parliament or by the Council, the Commission should report on the outcome of its systematic monitoring of the visa-free regimes with all the third countries listed in Annex II to Regulation (EU) 2018/1806. The report should focus on those third countries which, according to the Commission's analysis, present specific problems that, if not addressed, may lead to trigger the suspension mechanism. In particular, the Commission should *consider reporting* on countries which have been newly listed in Annex II without undergoing a visa liberalisation dialogue, where it considers it necessary and in particular in the first years following the

*Amendment*

(10) Whenever it considers it necessary, or upon request by the European Parliament or by the Council, the Commission should report on the outcome of its systematic monitoring of the visa-free regimes with all the third countries listed in Annex II to Regulation (EU) 2018/1806. The report should focus on those third countries which, according to the Commission's analysis, present specific problems that, if not addressed, may lead to trigger the suspension mechanism. In particular, the Commission should *report* on countries which have been newly listed in Annex II without undergoing a visa liberalisation dialogue, where it considers it necessary and in particular in the first years following the entry into force of the

entry into force of the visa exemption for those countries.

visa exemption for those countries.

Or. en

#### **Amendment 40**

**Tineke Strik**

#### **Proposal for a regulation**

#### **Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10 a) In the light of the far reaching consequences that the temporary suspension of the exemption from the visa requirement might have on the nationals of the third country concerned, the Commission should privilege a targeted approach, applying the measure first and foremost to selected individuals holding positions of responsibility, such as members of third country's official delegations, members of local, regional and national Governments, members of Parliaments, or high-ranking public or military officials, while making every effort to minimise the adverse consequences on the general population.***

Or. en

#### **Amendment 41**

**Tineke Strik**

#### **Proposal for a regulation**

#### **Recital 10 b (new)**

*Text proposed by the Commission*

*Amendment*

***(10 b) In light of the far reaching implications of the suspension for the nationals of the third countries concerned, and taking into account the requirement enshrined in Article 13 TEU for the Union institutional framework to***

*ensure the effectiveness of its policies and actions, the Commission should permanently monitor whether the triggering of the suspension mechanism would achieve the intended result, and regularly report to the European Parliament and the Council.*

Or. en

**Amendment 42**  
**Tineke Strik**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

(11) Where a decision to temporarily suspend the visa exemption for a third country has been taken, there should be an adequate timeframe for the enhanced dialogue between the Commission and the concerned third country aimed at remedying the circumstances that led to the suspension. For this purpose, the duration of the temporary suspension decided by a Commission **implementing** act should be 12 months in a first phase, with a possibility to extend it by a further 24 months with a delegated act in a second phase. Where no solution is found before the end of the period of validity of the delegated act and the Commission presents a legislative proposal to transfer the concerned third country from Annex II to Annex I of Regulation (EU) 2018/1806, the Commission should adopt a delegated act extending the temporary suspension until the entry into force of the adopted proposal.

*Amendment*

(11) Where a decision to temporarily suspend the visa exemption for a third country has been taken, there should be an adequate timeframe for the enhanced dialogue between the Commission and the concerned third country aimed at remedying the circumstances that led to the suspension. For this purpose, the duration of the temporary suspension decided by a Commission **delegated** act should be 12 months in a first phase, with a possibility to extend it by a further 24 months with a delegated act in a second phase. Where no solution is found before the end of the period of validity of the delegated act and the Commission presents a legislative proposal to transfer the concerned third country from Annex II to Annex I of Regulation (EU) 2018/1806, the Commission should adopt a delegated act extending the temporary suspension until the entry into force of the adopted proposal.

Or. en

**Amendment 43**  
**Tineke Strik**



**Proposal for a regulation**  
**Recital 12**

*Text proposed by the Commission*

*Amendment*

**(12)** *The Commission should adopt immediately applicable implementing acts where, in duly justified cases related to the triggering of the suspension mechanism, imperative grounds of urgency require expedited action, in particular to prevent any abuse of visa-free travel causing a mass influx of third-country nationals arriving irregularly in the territory of the Member States or a serious damage to the public policy or internal security of Member States.* **deleted**

Or. en

**Amendment 44**  
**Miguel Urbán Crespo**

**Proposal for a regulation**  
**Recital 12**

*Text proposed by the Commission*

*Amendment*

**(12)** *The Commission should adopt immediately applicable implementing acts where, in duly justified cases related to the triggering of the suspension mechanism, imperative grounds of urgency require expedited action, in particular to prevent any abuse of visa-free travel causing a mass influx of third-country nationals arriving irregularly in the territory of the Member States or a serious damage to the public policy or internal security of Member States.* **deleted**

Or. en

**Amendment 45**  
**Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**  
**Recital 12**

*Text proposed by the Commission*

(12) The Commission should adopt immediately applicable implementing acts where, in duly justified cases related to the triggering of the suspension mechanism, ***imperative grounds of urgency require expedited*** action, in particular to prevent any abuse of visa-free travel causing a mass influx of third-country nationals arriving irregularly in the territory of the Member States or a serious damage to the public policy or internal security of Member States.

*Amendment*

(12) The Commission should adopt immediately applicable implementing acts where, in duly justified cases related to the triggering of the suspension mechanism, ***where a serious threat to public policy or internal security in a Member State according to Article 8a(d) is unforeseeable and requires immediate*** action, in particular to prevent any abuse of visa-free travel causing a mass influx of third-country nationals arriving irregularly in the territory of the Member States or a serious damage to the public policy or internal security of Member States.

Or. en

**Amendment 46**  
**Tineke Strik**

**Proposal for a regulation**  
**Recital 13**

*Text proposed by the Commission*

(13) The temporary suspension should be lifted at any time where the circumstances that led to the suspension are remedied before the end of the period of the suspension. To this end, the Commission should adopt, ***respectively, an implementing act before the end of the period of suspension set out in the relevant implementing act, and a delegated act*** before the end of the period of suspension set out in the relevant delegated ***act***.

*Amendment*

(13) The temporary suspension should be lifted at any time where the circumstances that led to the suspension are remedied before the end of the period of the suspension, ***or where the suspension turns out to be ineffective to remedy the situation***. To this end, the Commission should adopt delegated ***acts*** before the end of the period of suspension set out in the relevant delegated ***acts***.

Or. en

**Amendment 47**  
**Moritz Körner, Sophia in 't Veld**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point -1 (new)**

*Text proposed by the Commission*

*Amendment*

**(-1) Article 7 point (d) is replaced by the following:**

**(d) the Commission shall, when considering further steps in accordance with point (e) or (h), take into account the outcome of the measures taken by the Member State concerned with a view to ensuring visa-free travel with the third country in question, the steps taken in accordance with point (b), and the consequences of the suspension of the exemption from the visa requirement for the external relations of the Union and its Member States with the third country in question;**

Or. en

*Justification*

*If this amendment passes, the Commission will finally be forced to achieve visa reciprocity for all EU citizens. The EP took the Commission to court because the Commission has failed to take the legally necessary measures to achieve visa reciprocity for Bulgarian, Cypriot and Romanian citizens with third countries. This amendment simply deletes the reference to point (f) in Article 7 (d) [which consequently now only refers to points (e) and (h)], and thereby deletes the excuse the Commission has been using to not act as expected by the EP since 2014.*

**Amendment 48**  
**Tineke Strik**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 1**  
Regulation (EU) 2018/1806  
Article 8 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**2. In cases where an agreement on the short-stay visa waiver between the** **deleted**

***Union and a third country listed in Annex II includes provisions on different grounds or procedures for suspension, those provisions shall be applied instead of Articles 8a, 8e and 8f of this Regulation.***

Or. en

## **Amendment 49**

**Matjaž Nemec**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 1**

Regulation (EU) 2018/1806

Article 8 – paragraph 2

#### *Text proposed by the Commission*

2. 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 or procedures for suspension, those provisions shall be applied instead of*** Articles 8a, 8e and 8f of this Regulation.

#### *Amendment*

2. In cases where an agreement on the short-stay visa waiver between the Union and a third country listed in Annex II ***has been concluded***, Articles 8a, 8e and 8f of this Regulation ***shall apply without prejudice to the relevant provisions on grounds for suspension and procedures set out in the agreement.***

Or. en

## **Amendment 50**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1

#### *Text proposed by the Commission*

1. The suspension mechanism may be triggered on the following grounds:

#### *Amendment*

1. The suspension mechanism may be triggered on ***one or more of*** the following grounds:

Or. en

## **Amendment 51**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point a

#### *Text proposed by the Commission*

(a) a substantial increase in the number of nationals of a third country listed in Annex II refused entry **or** found to be staying in a Member State's territory without a right to do so;

#### *Amendment*

(a) a substantial increase in the number of nationals of a third country listed in Annex II refused entry, found to be staying in a Member State's territory without a right to do so, ***or overstaying the visa-free period;***

Or. en

## **Amendment 52**

**Leopoldo López Gil, Javier Zarzalejos**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point b

#### *Text proposed by the Commission*

(b) ***a substantial increase in the number of asylum applications from the nationals of a third country listed in Annex II for which the recognition rate is low;***

#### *Amendment*

***deleted***

Or. es

## **Amendment 53**

**Miguel Urbán Crespo**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point b

*Text proposed by the Commission*

*Amendment*

**(b) a substantial increase in the number of asylum applications from the nationals of a third country listed in Annex II for which the recognition rate is low;** **deleted**

Or. en

*Justification*

*This wording has the potential to breach the right to asylum as guaranteed by Article 18 of the EU Charter of Fundamental Rights.*

#### **Amendment 54**

**Charlie Weimers, Patryk Jaki, Vincenzo Sofo, Jorge Buxadé Villalba, Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

#### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point b a (new)

*Text proposed by the Commission*

*Amendment*

**(b a) a substantial increase in the number of asylum applications from the nationals of a third country listed in Annex II;**

Or. en

*Justification*

*15% of all asylum applications in 2022 were made by citizens from visa-free countries. In 2023 this increased to around 20% according to the EU Asylum Agency. Many of these applications were made by third country nationals from countries with recognition rates above 4%. According to the Commission "The main purpose of this proposal is to make the suspension mechanism better equipped to respond swiftly and decisively to emerging challenges in the area of irregular migration and security arising from visa-free third countries, and to counter any abuses of visa-free travel." The purpose of visa-free agreements is to facilitate economic development, tourism, and cultural exchange, and not to enable asylum shopping throughout the Schengen Area. Therefore, a substantial increase in asylum applications, regardless of recognition rates, should also be considered as grounds for suspension.*

**Amendment 55**  
**Miguel Urbán Crespo**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 1 – point c

*Text proposed by the Commission*

*Amendment*

**(c) a decrease in cooperation on readmission with a third country listed in Annex II, or other cases of non-cooperation on readmission;**

**deleted**

Or. en

**Amendment 56**  
**Tineke Strik**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 1 – point d

*Text proposed by the Commission*

*Amendment*

**(d) a significant risk or imminent threat to the public policy or internal security of Member States related to a third country listed in Annex II deriving from *any of the following*:**

**(d) a significant risk or imminent threat to the public policy or internal security of Member States related to a third country listed in Annex II deriving from *a substantial increase in serious criminal offences, linked to the nationals of that third country, substantiated by objective, concrete and relevant information and data provided by the competent authorities*;**

Or. en

**Amendment 57**  
**Jaak Madison**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point d

*Text proposed by the Commission*

(d) a **significant** risk or imminent threat to the public policy or internal security of Member States related to a third country listed in Annex II deriving from any of the following:

*Amendment*

(d) a risk or imminent threat to the public policy or internal security of Member States related to a third country listed in Annex II deriving from any of the following:

Or. en

**Amendment 58**

**Tineke Strik**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point d – point i

*Text proposed by the Commission*

(i) ***a substantial increase in serious criminal offences, linked to the nationals of that third country, substantiated by objective, concrete and relevant information and data provided by the competent authorities;***

*Amendment*

***deleted***

Or. en

**Amendment 59**

**Jaak Madison**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point d – point i

*Text proposed by the Commission*

(i) ***a substantial*** increase in serious criminal offences, linked to the nationals of that third country, substantiated by

*Amendment*

(i) ***an*** increase in serious criminal offences, linked to the nationals of that third country, substantiated by objective,



objective, concrete and relevant information and data provided by the competent authorities;

concrete and relevant information and data provided by the competent ***national*** authorities;

Or. en

**Amendment 60**  
**Miguel Urbán Crespo**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 1 – point d – point ii

*Text proposed by the Commission*

*Amendment*

(ii) ***hybrid threats;*** ***deleted***

Or. en

*Justification*

*Out of scope in this part.*

**Amendment 61**  
**Tineke Strik**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 1 – point d – point ii

*Text proposed by the Commission*

*Amendment*

(ii) ***hybrid threats;*** ***deleted***

Or. en

**Amendment 62**  
**Jaak Madison**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point d – point ii

*Text proposed by the Commission*

(ii) hybrid threats;

*Amendment*

(ii) hybrid threats ***and  
instrumentalization of migrants;***

Or. en

## **Amendment 63**

**Malik Azmani, Olivier Chastel**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point d – point iia (new)

*Text proposed by the Commission*

*Amendment*

***(ii a) inadequate legal standards  
concerning the security of travel and  
identity documents;***

Or. en

## **Amendment 64**

**Jaak Madison**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 point da (new)

*Text proposed by the Commission*

*Amendment*

***(d a) terrorist threats;***

Or. en

## **Amendment 65**

**Jaak Madison**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806  
Article 8a – paragraph 1 point db (new)

*Text proposed by the Commission*

*Amendment*

***(d b) deficiencies in document security  
legislation or procedure;***

Or. en

**Amendment 66**  
**Tineke Strik**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 1 – point f

*Text proposed by the Commission*

*Amendment*

***(f) the non-alignment of the visa  
policy of a third country listed in Annex  
II, where, in particular because of the  
geographic proximity of that third country  
to the Union, there is a risk of a  
substantial increase in the number of  
third-country nationals, other than  
nationals of that third country, who enter  
irregularly the territory of the Member  
States after having stayed on, or transited  
through, the territory of that third  
country;***

***deleted***

Or. en

**Amendment 67**  
**Miguel Urbán Crespo**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 1 – point f

*Text proposed by the Commission*

*Amendment*

***(f) the non-alignment of the visa***

***deleted***

*policy of a third country listed in Annex II, where, in particular because of the geographic proximity of that third country to the Union, there is a risk of a substantial increase in the number of third-country nationals, other than nationals of that third country, who enter irregularly the territory of the Member States after having stayed on, or transited through, the territory of that third country;*

Or. en

#### **Amendment 68**

**Jan-Christoph Oetjen, Moritz Körner**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point f

#### *Text proposed by the Commission*

(f) the non-alignment of the visa policy of a third country listed in Annex II, where, in particular because of the geographic proximity of that third country to the Union, there is **a risk of** a substantial increase in the number of third-country nationals, other than nationals of that third country, who enter irregularly the territory of the Member States after having stayed on, or transited through, the territory of that third country;

#### *Amendment*

(f) the non-alignment of the visa policy of a third country listed in Annex II, where, in particular because of the geographic proximity of that third country to the Union, there is a substantial increase in the number of third-country nationals, other than nationals of that third country, who enter irregularly the territory of the Member States after having stayed on, or transited through, the territory of that third country;

Or. en

#### **Amendment 69**

**Tineke Strik**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point fa (new)

*Text proposed by the Commission*

*Amendment*

***(f a) serious breaches of the principles set in the United Nations Charter, or grave violations of the obligations deriving from international human rights law or international humanitarian law;***

Or. en

## **Amendment 70**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point fa (new)

*Text proposed by the Commission*

*Amendment*

***(f a) a severe deterioration in the Union's external relations with a third country listed in Annex II, exemplified by the non-alignment of the criteria listed in Article 1 of this Regulation;***

Or. en

## **Amendment 71**

**Nuno Melo**

### **Proposal for a regulation**

#### **Article 1.º – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 1 – point g a (new)

*Text proposed by the Commission*

*Amendment*

***(ga) a significant and abrupt deterioration in the Union's external relations with a third country listed in Annex II, particularly with regard to human rights and fundamental freedoms, resulting from one of the following situations: (i) serious violations and abuses of human rights; (ii) serious***

*breaches of international law and standards, including international human rights law and non-compliance with international court decisions and rulings;*

Or. pt

**Amendment 72**  
**Matjaž Nemec**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 1 – point ga (new)

*Text proposed by the Commission*

*Amendment*

*(g a) any other ground for suspension set out in a short-stay visa waiver agreement between the Union and a third country listed in Annex II, limited to the scope of application of such agreement.*

Or. en

**Amendment 73**  
**Tineke Strik**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 2

*Text proposed by the Commission*

*Amendment*

2. For the purposes of paragraph 1, points (a), (b) and **(d)(i)**, of this Article a substantial increase shall mean an increase exceeding a threshold of 50%, ***unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.***

2. For the purposes of paragraph 1, points (a), (b) and **(d)**, of this Article a substantial increase shall mean an increase exceeding a threshold of 50%.

Or. en

## Amendment 74

Matjaž Nemec

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/1806

Article 8a – paragraph 2

#### *Text proposed by the Commission*

2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall mean an increase exceeding a threshold of 50%, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.

#### *Amendment*

2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall mean an increase exceeding a threshold of 50%, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case, ***by providing duly justified reasons for this decision.***

Or. en

## Amendment 75

Jan-Christoph Oetjen, Moritz Körner

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/1806

Article 8a – paragraph 2

#### *Text proposed by the Commission*

2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall mean an increase exceeding a threshold of 50%, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.

#### *Amendment*

2. For the purposes of paragraph 1, points (a), (b) and (d)(i), ***and paragraph 4*** of this Article a substantial increase shall mean an increase exceeding a threshold of 50%, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.

Or. en

## Amendment 76

**Charlie Weimers, Patryk Jaki, Vincenzo Sofo, Jorge Buxadé Villalba, Pirkko Ruohonen-Lerner**  
on behalf of the ECR Group

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 2

*Text proposed by the Commission*

2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall mean an increase exceeding a threshold of **50%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.

*Amendment*

2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall mean an increase exceeding a threshold of **15%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.

Or. en

*Justification*

*According to the Commission past experience highlights the "...difficulties of triggering the mechanism due to its cumbersome procedure and showed again that meeting the thresholds requested by the current rules can prove difficult, at the expense of the objective to provide urgent responses to prevent irregular migration and security risks stemming from visa-free travel." Therefore it follows that the threshold must be significantly lowered.*

**Amendment 77**

**Jaak Madison**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 2

*Text proposed by the Commission*

2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall mean an increase exceeding a threshold of **50%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.

*Amendment*

2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall mean an increase exceeding a threshold of **10%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.



**Amendment 78**

**Malik Azmani, Olivier Chastel**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 2

*Text proposed by the Commission*

2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall mean an increase exceeding a threshold of **50%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.

*Amendment*

2. For the purposes of paragraph 1, points (a), (b) and (d)(i), of this Article a substantial increase shall mean an increase exceeding a threshold of **30%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a lower or higher increase is applicable in the particular case.

Or. en

**Amendment 79**

**Leopoldo López Gil, Javier Zarzalejos**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 3

*Text proposed by the Commission*

**3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than 4%, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.**

*Amendment*

**deleted**

Or. es

**Amendment 80**  
**Tineke Strik**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 3

*Text proposed by the Commission*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than **4%, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.**

*Amendment*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than **2%.**

Or. en

**Amendment 81**  
**Matjaž Nemec**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 3

*Text proposed by the Commission*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than 4%, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.

*Amendment*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than 4%, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case, **by providing duly justified reasons for this decision.**

Or. en

**Amendment 82**  
**Jaak Madison**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 3

*Text proposed by the Commission*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than **4%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.

*Amendment*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than **35%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.

Or. en

**Amendment 83**

**Malik Azmani, Olivier Chastel**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 3

*Text proposed by the Commission*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than **4%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.

*Amendment*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than **20%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.

Or. en

**Amendment 84**

**Charlie Weimers, Patryk Jaki, Vincenzo Sofo, Jorge Buxadé Villalba, Pirkko Ruohonen-Lerner**

on behalf of the ECR Group

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

*Text proposed by the Commission*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than **4%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.

*Amendment*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than **35%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.

Or. en

*Justification*

*15% of all asylum applications in 2022 were made by citizens from visa-free countries. In 2023 this increased to around 20% in 2023 according to EU Asylum Agency. Many of these applications were made by third country nationals from countries in Annex II with recognition rates above 4%. The recognition rate of 4% is far too low and hinders the operability of the suspension mechanism.*

**Amendment 85**  
**Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8a – paragraph 3

*Text proposed by the Commission*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than **4%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.

*Amendment*

3. For the purposes of paragraph 1, point (b), of this Article a low recognition rate shall mean a recognition rate of asylum applications of less than **3%**, unless the Commission in accordance with Article 8b(4) or Article 8c(2) concludes that a higher recognition rate is applicable in the particular case.

Or. en

**Amendment 86**

Tineke Strik

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 4

*Text proposed by the Commission*

4. For the purposes of paragraph 1, point (c), a decrease in cooperation on readmission with a third country listed in Annex II shall mean a substantial increase, substantiated by adequate data, in the refusal rate of readmission applications submitted by a Member State to that third country for its own nationals *or*, where *a readmission agreement concluded between the Union or that Member State and that third country so provides, for third-country nationals having transited through that third country.*

*Amendment*

4. For the purposes of paragraph 1, point (c), a decrease in cooperation on readmission with a third country listed in Annex II shall mean a substantial increase, substantiated by adequate data, in the refusal rate of readmission applications submitted by a Member State to that third country for its own nationals, where *it can be clearly proven that the decrease in cooperation is the result of the actions or inaction of the third country concerned and it is not attributable to the requesting Member State.*

Or. en

**Amendment 87**

Malik Azmani, Olivier Chastel

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 4

*Text proposed by the Commission*

4. For the purposes of paragraph 1, point (c), a decrease in cooperation on readmission with a third country listed in Annex II shall mean *a substantial increase*, substantiated by adequate data, *in the refusal rate* of readmission applications submitted by a Member State to that third country for its own nationals *or*, where a readmission agreement concluded between the Union or that Member State and that third country so provides, for third-country nationals having transited through that third country.

*Amendment*

4. For the purposes of paragraph 1, point (c), a decrease in cooperation on readmission with a third country listed in Annex II shall mean *an increasing rate*, substantiated by adequate data, *of* refusal of readmission applications submitted by a Member State to that third country for its own nationals *or*, where a readmission agreement concluded between the Union or that Member State and that third country so provides, for third-country nationals having transited through that third country.

**Amendment 88**

**Malik Azmani, Olivier Chastel**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 5 – point a

*Text proposed by the Commission*

(a) refusing or failing to process  
readmission applications in due time;

*Amendment*

(a) refusing or failing to process  
readmission applications in due time,  
***failing to assist timely in identification of  
third country nationals staying in a  
Member State's territory without a right  
to do so;***

Or. en

**Amendment 89**

**Charlie Weimers, Patryk Jaki, Vincenzo Sofo, Jorge Buxadé Villalba, Pirkko  
Ruohonen-Lerner**

on behalf of the ECR Group

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 5 – point a

*Text proposed by the Commission*

(a) refusing or failing to process  
readmission applications ***in due time;***

*Amendment*

(a) refusing or failing to process  
readmission applications ***within four  
weeks of the return decision;***

Or. en

*Justification*

*The words "due time" are too vague. Other countries require strict readmission standards in order to be granted visa free access in the first place. For example, the United States requires that countries with visa free access accept their citizens within three weeks of the final order of removal. The EU has a problem with returns and Annex II countries should be held to a strict timeline in respect of return decisions.*

## Amendment 90

Tineke Strik

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/1806

Article 8a – paragraph 5 – point a

#### *Text proposed by the Commission*

(a) refusing or failing to process readmission applications ***in due time***;

#### *Amendment*

(a) refusing or failing to process readmission applications;

Or. en

## Amendment 91

Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/1806

Article 8a – paragraph 5 – point b

#### *Text proposed by the Commission*

(b) failing to issue travel documents in due time for the purposes of returning within the deadlines set out in the readmission agreement or refusing to accept European travel documents issued following the expiry of the deadlines set out in the readmission agreement;

#### *Amendment*

(b) failing to issue travel documents in due time for the purposes of returning within the deadlines set out in the readmission agreement or refusing to accept European travel documents issued following the expiry of the deadlines set out in the readmission agreement, ***or otherwise creating persisting practical obstacles regarding the execution of readmission decisions***;

Or. en

## Amendment 92

Miguel Urbán Crespo

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/1806

Article 8a – paragraph 5 – point b

*Text proposed by the Commission*

(b) failing to issue travel documents in due time for the purposes of returning within the deadlines set out in the readmission agreement or refusing to accept European travel documents issued following the expiry of the deadlines set out in the readmission agreement;

*Amendment*

(b) failing to issue travel documents ***to persons it recognizes as having a right of residence in its territory***, in due time for the purposes of returning within the deadlines set out in the readmission agreement or refusing to accept European travel documents issued following the expiry of the deadlines set out in the readmission agreement;

Or. en

**Amendment 93**

**Tineke Strik**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8a – paragraph 5 – point b

*Text proposed by the Commission*

(b) failing to issue travel documents ***in due time*** for the purposes of returning within the deadlines set out in the readmission agreement or refusing to accept European travel documents issued following the expiry of the deadlines set out in the readmission agreement;

*Amendment*

(b) failing to issue travel documents ***to its own nationals or persons having a right of residence in its territory*** for the purposes of returning within the deadlines set out in the readmission agreement or refusing to accept European travel documents issued following the expiry of the deadlines set out in the readmission agreement;

Or. en

**Amendment 94**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation 2018/1806

Article 8a – paragraph 5 – point c



*Text proposed by the Commission*

(c) terminating **or** suspending the readmission agreement concluded between a third country listed in Annex II and the Union.

*Amendment*

(c) terminating, suspending **or otherwise undermining** the readmission agreement concluded between a third country listed in Annex II and the Union.

Or. en

**Amendment 95**

**Matjaž Nemec**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – title

*Text proposed by the Commission*

Notification **by Member States** and examination of the notification

*Amendment*

Notification and examination of the notification

Or. en

**Amendment 96**

**Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 1

*Text proposed by the Commission*

1. A Member State may notify the Commission if it is confronted, over a period of at least two months, compared with either the same period in the preceding year or the last two months prior to the implementation of the exemption from the visa requirement for nationals of a third country listed in Annex II, with one or more of the circumstances amounting to the grounds for suspension referred to in Article 8a(1), points (a), (b), **(c)**, and (d)(i).

*Amendment*

1. A Member State may notify the Commission if it is confronted, over a period of at least two **but no longer than twelve** months, compared with either the same period in the preceding year or the last two months prior to the implementation of the exemption from the visa requirement for nationals of a third country listed in Annex II, with one or more of the circumstances amounting to the grounds for suspension referred to in Article 8a(1), points (a), (b), and (d)(i).

## **Amendment 97**

**Malik Azmani, Olivier Chastel**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 1

#### *Text proposed by the Commission*

1. A Member State may notify the Commission if it is confronted, over a period of at least two months, compared with either the same period in the preceding year or the last two months prior to the implementation of the exemption from the visa requirement for nationals of a third country listed in Annex II, with one or more of the circumstances amounting to the grounds for suspension referred to in Article 8a(1), **points (a), (b), (c), and (d)(i).**

#### *Amendment*

1. A Member State may notify the Commission if it is confronted, over a period of at least two months, compared with either the same period in the preceding year or the last two months prior to the implementation of the exemption from the visa requirement for nationals of a third country listed in Annex II, with one or more of the circumstances amounting to the grounds for suspension referred to in Article 8a(1).

Or. en

## **Amendment 98**

**Tineke Strik**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 1

#### *Text proposed by the Commission*

1. A Member State may notify the Commission if it is confronted, over a period of **at least** two months, compared with either the same period in the preceding year or the last two months prior to the implementation of the exemption from the visa requirement for nationals of a third country listed in Annex II, with one or more of the circumstances amounting to

#### *Amendment*

1. A Member State may notify the Commission if it is confronted, over a period of two months, compared with either the same period in the preceding year or the last two months prior to the implementation of the exemption from the visa requirement for nationals of a third country listed in Annex II, with one or more of the circumstances amounting to

the grounds for suspension referred to in Article 8a(1), points (a), (b), (c), and **(d)(i)**.

the grounds for suspension referred to in Article 8a(1), points (a), (b), (c), and **(d)**.

Or. en

#### **Amendment 99**

**Matjaž Nemec**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 1 – point 1a (new)

*Text proposed by the Commission*

*Amendment*

***1 a. A Member State may also notify the Commission of the existence of circumstances that amount to the grounds for suspension as referred to in Article 8a(1), points (e), (f), (g) and (ga).***

Or. en

#### **Amendment 100**

**Matjaž Nemec**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 1 – point 1b (new)

*Text proposed by the Commission*

*Amendment*

***1 b. The European parliament may also notify the Commission of the existence of circumstances that amount to the grounds for suspension as referred to in Article 8a(1), (e), (f), (ga) and (gb).***

Or. en

#### **Amendment 101**

**Malik Azmani, Olivier Chastel**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8b – paragraph 2

*Text proposed by the Commission*

2. The notification referred to in paragraph 1 of this Article shall state the reasons on which it is based and shall include relevant data and statistics as well as a detailed explanation of the preliminary measures that the Member State concerned has taken with a view to remedying the situation. In its notification, the Member State concerned may specify the categories of nationals of the third country concerned which are to be covered by an implementing act under Article 8e(1), specifying the detailed reasons for doing so.

*Amendment*

2. The notification referred to in paragraph 1 of this Article shall state the reasons on which it is based and shall include relevant data and statistics as well as a detailed explanation of the preliminary measures that the Member State concerned has taken with a view to remedying the situation. In its notification, the Member State concerned may specify the categories of nationals of the third country concerned which are to be covered by an implementing act under Article 8e(1), specifying the detailed reasons for doing so. ***In exceptional circumstances that require immediate action, Member States may notify the Commission concerning the circumstances in Article 8a(1) covering a period shorter than two months, provided that a detailed justification of the acute response needed is stated by those Member States concerned.***

Or. en

**Amendment 102**  
**Matjaž Nemec**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8b – paragraph 2

*Text proposed by the Commission*

2. The notification referred to in paragraph 1 of this Article shall state the reasons on which it is based ***and*** shall include relevant data and statistics as well as a detailed explanation of the preliminary measures that the Member State concerned

*Amendment*

2. The notification referred to in paragraph 1, ***1a and 1b*** of this Article shall state the reasons on which it is based. ***Where relevant, the notification referred to in paragraph 1 and 1a*** shall include relevant data and statistics as well as a

has taken with a view to remedying the situation. In its notification, the Member State concerned may specify the categories of nationals of the third country concerned which are to be covered by an implementing act under Article 8e(1), specifying the detailed reasons for doing so.

detailed explanation of the preliminary measures that the Member State concerned has taken with a view to remedying the situation.

In its notification, the Member State concerned, *or the European Parliament*, may specify the categories of nationals of the third country concerned which are to be covered by an implementing act under Article 8e(1), specifying the detailed reasons for doing so.

Or. en

## **Amendment 103**

### **Tineke Strik**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 2

#### *Text proposed by the Commission*

2. The notification referred to in paragraph 1 of this Article shall state the reasons on which it is based and shall include relevant data and statistics as well as a detailed explanation of the preliminary measures that the Member State concerned has taken with a view to remedying the situation. In its notification, the Member State concerned may specify the categories of nationals of the third country concerned which are to be covered by *an implementing* act under Article 8e(1), specifying the detailed reasons for doing so.

#### *Amendment*

2. The notification referred to in paragraph 1 of this Article shall state the reasons on which it is based and shall include relevant data and statistics as well as a detailed explanation of the preliminary measures that the Member State concerned has taken with a view to remedying the situation. In its notification, the Member State concerned may specify the categories of nationals of the third country concerned which are to be covered by *a delegated* act under Article 8e(1), specifying the detailed reasons for doing so.

Or. en

## **Amendment 104**

**Matjaž Nemec**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 4

#### *Text proposed by the Commission*

4. The Commission shall examine any notification made pursuant to paragraph 1 of this Article, taking into account:

#### *Amendment*

4. The Commission shall examine any notification made pursuant to paragraph 1, ***1a and 1b*** of this Article, taking into account:

Or. en

## **Amendment 105**

**Malik Azmani, Olivier Chastel**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 4 – point a

#### *Text proposed by the Commission*

(a) whether any of the circumstances amounting to the grounds referred to in Article 8a(1), ***points (a), (b), (c), or (d)(i)*** exist;

#### *Amendment*

(a) whether any of the circumstances amounting to the grounds referred to in Article 8a(1) exist;

Or. en

## **Amendment 106**

**Matjaž Nemec**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 4 – point a

#### *Text proposed by the Commission*

(a) whether any of the circumstances amounting to the grounds referred to in

#### *Amendment*

(a) whether any of the circumstances amounting to the grounds referred to in

Article 8a(1), *points (a), (b), (c), or (d)(i)*  
exist;

Article 8a(1) exist;

Or. en

#### **Amendment 107**

**Tineke Strik**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 4 – point a

##### *Text proposed by the Commission*

(a) whether any of the circumstances amounting to the grounds referred to in Article 8a(1), points (a), (b), (c), or *(d)(i)* exist;

##### *Amendment*

(a) whether any of the circumstances amounting to the grounds referred to in Article 8a(1), points (a), (b), (c), or *(d)* exist;

Or. en

#### **Amendment 108**

**Jan-Christoph Oetjen, Moritz Körner**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 4 – point a

##### *Text proposed by the Commission*

(a) whether any of the circumstances amounting to the grounds referred to in Article 8a(1), points (a), (b), *(c)*, or (d)(i) exist;

##### *Amendment*

(a) whether any of the circumstances amounting to the grounds referred to in Article 8a(1), points (a), (b), or (d)(i) exist;

Or. en

#### **Amendment 109**

**Miguel Urbán Crespo**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806  
Article 8b – paragraph 4 – point f

*Text proposed by the Commission*

(f) the overall question of public policy **and internal security**, in consultation with the Member State concerned.

*Amendment*

(f) the overall question of public policy in consultation with the Member State concerned.

Or. en

**Amendment 110**  
**Miguel Urbán Crespo**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8b – paragraph 4 – point fa (new)

*Text proposed by the Commission*

*Amendment*

**(f a) the impact on the visa reciprocity**

Or. en

**Amendment 111**  
**Tineke Strik**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8b – paragraph 4a (new)

*Text proposed by the Commission*

*Amendment*

**4 a. The Commission shall also assess the necessity, proportionality and consequences of a suspension of the exemption from the visa requirement, taking into account in particular:**

**(a) the overall external relations of the Union and its Member States with the third country concerned;**

**(b) the appropriateness of a suspension of the exemption from the visa requirement**



*to remedy the situation;*

*(c) the impact of a suspension on the rights of the nationals of the third country concerned;*

*(d) the principle of visa reciprocity and the principle of non-discrimination;*

*(e) the potential risks faced by human rights defenders.*

Or. en

#### **Amendment 112**

**Miguel Urbán Crespo**

on behalf of The Left Group

#### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8b – paragraph 5a (new)

*Text proposed by the Commission*

*Amendment*

**5 a. The Commission shall, before taking any decision to temporarily suspend a visa exemption for nationals of a third country, have a thorough examination of the situation of human rights in that third country and take into account all the possible consequences of a suspension of the visa exemption for that situation and the country.**

Or. en

#### **Amendment 113**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

#### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8c – paragraph 1a (new)

*Text proposed by the Commission*

*Amendment*

***1 a. In its monitoring and analysis, the Commission shall be informed by the European Border and Coast Guard, the European Union Agency for Asylum, the European Union Agency for Law Enforcement Cooperation (Europol) or any other relevant institution, body, office or agency of the Union. It shall also take into account data stored in the Visa Information System (VIS), Schengen Information System (SIS II), Entry/Exit System (EES), European Travel Information and Authorisation System (ETIAS), and European Criminal Records Information System for Third-Country Nationals (ECRIS-TCN).***

Or. en

**Amendment 114**  
**Tineke Strik**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8c – paragraph 2

*Text proposed by the Commission*

2. Where the Commission, taking into account the relevant data, reports and statistics, has concrete and reliable information on the existence of any of the grounds referred to in Article 8a(1) it shall inform the European Parliament and the Council of its analysis, and Article 8e and Article 8f shall apply.

*Amendment*

2. Where the Commission, taking into account the relevant data, reports and statistics, ***and after having carried out an assessment of the necessity, proportionality and consequences of a suspension of the exemption from the visa requirement as referred to in Article 8b(4a)***, has concrete and reliable information on the existence of any of the grounds referred to in Article 8a(1) it shall inform the European Parliament and the Council of its analysis, and Article 8e and Article 8f shall apply.

Or. en

**Amendment 115**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8d – paragraph 1

*Text proposed by the Commission*

1. The Commission shall report to the European Parliament and to the Council on the monitoring conducted in accordance with Article 8c(1) with regard to the third countries which have been listed in Annex II *as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, at least once a year and for a period of seven years after the date of entry into force of visa liberalisation for those third countries, and thereafter whenever the Commission considers it to be necessary, or upon request by the European Parliament or by the Council. The report shall focus on the third countries which the Commission considers, based on concrete and reliable information, as no longer complying with certain specific requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.*

*Amendment*

1. The Commission shall report to the European Parliament and to the Council on the monitoring conducted in accordance with Article 8c(1) with regard to the third countries which have been listed in Annex II.

Or. en

**Amendment 116**

Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8d – paragraph 1a (new)

*Text proposed by the Commission*

*Amendment*

***1 a. The Commission shall conduct this reporting periodically, thereby ensuring that each third country shall be***

*reported on at least once within a four-year period.*

Or. en

**Amendment 117**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8d – paragraph 1b (new)

*Text proposed by the Commission*

*Amendment*

*1 b. For those third countries which have been listed as a result of the successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country, the Commission shall report on an annual basis for a period of seven years after the date of entry into force of visa liberalisation for those third countries.*

Or. en

**Amendment 118**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8d – paragraph 1c (new)

*Text proposed by the Commission*

*Amendment*

*1 c. Whenever the Commission considers it necessary, it shall report on the third countries which the Commission considers, based on concrete and reliable information, as no longer complying with certain specific requirements, which are based on Article 1 and which were used to assess the appropriateness of granting visa liberalisation.*

**Amendment 119**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8d – paragraph 2

*Text proposed by the Commission*

2. The Commission shall also report, ***whenever it considers it to be necessary, or*** upon request by the European Parliament or by the Council, on third countries listed in Annex II ***other than the ones referred to in paragraph 1 of this Article.***

*Amendment*

2. The Commission shall also report upon request by the European Parliament or by the Council, on third countries listed in Annex II.

Or. en

**Amendment 120**

**Tineke Strik**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8e – Title

*Text proposed by the Commission*

***Implementing*** acts

*Amendment*

***Delegated*** acts

Or. en

**Amendment 121**

**Tineke Strik**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8e – paragraph 1 – subparagraph 1

Where, on the basis of the examination referred to in Article 8b(4), or the analysis referred to in Article 8c(2), and taking into account the consequences of a suspension of the exemption from the visa requirement for the overall external relations of the Union and its Member States with the third country concerned, while working in close cooperation with that third country to find alternative long-term solutions, the Commission decides that action is needed, or where a simple majority of Member States have notified the Commission of the existence of circumstances referred to in Article 8a(1), points (a), (b), (c) or **(d)(i)**, the Commission shall adopt **an implementing** act temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a period of 12 months.

Where, on the basis of the examination referred to in Article 8b(4), or the analysis referred to in Article 8c(2), and taking into account the **necessity, proportionality and** consequences of a suspension of the exemption from the visa requirement for the overall external relations of the Union and its Member States with the third country concerned **and for its nationals as provided for in Article 8b(4a)**, while working in close cooperation with that third country to find alternative long-term solutions, the Commission decides that action is needed, or where a simple majority of Member States have notified the Commission of the existence of circumstances referred to in Article 8a(1), points (a), (b), (c) or **(d)**, the Commission shall adopt **a delegated** act temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a period of 12 months.

Or. en

**Amendment 122****Tineke Strik****Proposal for a regulation****Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8e – paragraph 1 – subparagraph 2

The suspension shall apply to certain categories of nationals of the third country concerned, by reference to the relevant types of travel documents **and**, where appropriate, to additional criteria. When deciding to which categories the suspension is to apply, the Commission shall, based on the information available, include categories that are **broad enough in order** to efficiently contribute to

The suspension shall apply to certain categories of nationals of the third country concerned **or to selected individuals**, by reference to the relevant types of travel documents **or**, where appropriate, to additional criteria. When deciding to which categories **or selected individuals** the suspension is to apply, the Commission shall, based on the information available **and on the assessment of the impact and**

remedying the circumstances that led to the suspension, while respecting the principle of proportionality and non- discrimination in line with Article 21 of the Charter of Fundamental Rights of the European Union. That **implementing** act shall fix the date on which the suspension of the exemption from the visa requirement is to take effect.

**consequences of that suspension, only** include categories **or individuals** that are **able** to efficiently contribute to remedying the circumstances that led to the suspension, while respecting the principle of proportionality and non- discrimination in line with Article 21 of the Charter of Fundamental Rights of the European Union. That **delegated** act shall fix the date on which the suspension of the exemption from the visa requirement is to take effect.

Or. en

### **Amendment 123** **Tineke Strik**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8e – paragraph 1 – subparagraph 3

#### *Text proposed by the Commission*

The Commission shall adopt the **implementing** act referred to in the first subparagraph within one month of:

#### *Amendment*

The Commission shall adopt the **delegated** act referred to in the first subparagraph within one month of:

Or. en

### **Amendment 124** **Tineke Strik**

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 2**  
Regulation (EU) 2018/1806  
Article 8e – paragraph 1 – subparagraph 3 – point c

#### *Text proposed by the Commission*

(c) receiving the notification from a simple majority of Member States of the existence of grounds referred to in Article 8a(1), points (a), (b), (c) or **(d)(i)**.

#### *Amendment*

(c) receiving the notification from a simple majority of Member States of the existence of grounds referred to in Article 8a(1), points (a), (b), (c) or **(d)**.

Or. en

## Amendment 125

Tineke Strik

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/1806

Article 8e – paragraph 1 – subparagraph 4

#### *Text proposed by the Commission*

The **implementing** acts referred to in the first subparagraph shall be adopted in accordance with **the examination procedure referred to in Article 11(2)**.

#### *Amendment*

The **delegated** acts referred to in the first subparagraph shall be adopted in accordance with Article **10**.

Or. en

## Amendment 126

Tineke Strik

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/1806

Article 8e – paragraph 2

#### *Text proposed by the Commission*

**2. On duly justified imperative grounds of urgency, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 11(4), temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a period of 12 months.**

#### *Amendment*

**deleted**

Or. en

## Amendment 127

Jan-Christoph Oetjen, Moritz Körner

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 2



*Text proposed by the Commission*

2. On duly justified imperative grounds of urgency, the Commission **shall** adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 11(4), temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a period of 12 months.

*Amendment*

2. On duly justified imperative grounds of urgency, ***where a serious threat to public policy or internal security in a Member State according to Article 8a(d) is unforeseeable and requires immediate action***, the Commission ***may*** adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 11(4), temporarily suspending the exemption from the visa requirement for the nationals of the third country concerned for a period of ***maximum three months***. ***If within this period, the Commission decides on the basis of the examination referred to in Article 8c, that further action is needed, it may adopt an implementing act in accordance with the procedure referred to in Article 8e(1), at the latest one month before the expiry of the three-month period. The total duration of the period of visa suspension of the immediately applicable implementing act and the implementing act shall not exceed 12 months.***

Or. en

**Amendment 128**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8e – paragraph 2

*Text proposed by the Commission*

2. On duly justified imperative grounds of urgency, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 11(4), temporarily suspending the exemption

*Amendment*

2. On duly justified imperative grounds of urgency, the Commission shall adopt immediately applicable implementing acts in accordance with the procedure referred to in Article 11(4), temporarily suspending the exemption

from the visa requirement for the nationals of the third country concerned for a period of 12 months.

from the visa requirement for the nationals of the third country concerned for a period of 12 months. ***In such cases, the Commission shall inform the Council and Parliament openly, comprehensively, and consistently throughout the procedure.***

Or. en

#### **Amendment 129**

**Malik Azmani, Olivier Chastel, Jan-Christoph Oetjen, Moritz Körner**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8e – paragraph 3

#### *Text proposed by the Commission*

3. During the period of suspension, the Commission shall establish an enhanced dialogue with the third country concerned with a view to remedying the circumstances in question.

#### *Amendment*

3. During the period of suspension, the Commission shall establish an enhanced dialogue with the third country concerned with a view to remedying the circumstances in question. ***Without prejudice to the application of Article 6, during the period of suspension, the nationals of the third country concerned shall be required to be in possession of a visa when crossing the external borders of the Member States.***

Or. en

#### **Amendment 130**

**Tineke Strik**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8e – paragraph 3

#### *Text proposed by the Commission*

3. During the period of suspension, the Commission shall establish an enhanced dialogue with the third country

#### *Amendment*

3. During the period of suspension, the Commission shall establish an enhanced dialogue with the third country

concerned with a view to remedying the circumstances in question.

concerned with a view to remedying the circumstances in question ***and regularly report to the European Parliament and the Council on its progress and outcomes, as well as effectiveness of the applied suspension.***

Or. en

## **Amendment 131**

**Tineke Strik**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8e – paragraph 4

#### *Text proposed by the Commission*

4. Where the circumstances that led to the temporary suspension of the exemption from the visa requirement are remedied before the end of the period of validity of the ***implementing*** acts adopted pursuant to paragraphs 1 and 2, the Commission shall adopt ***an implementing*** act to lift the temporary suspension in accordance with ***the examination procedure referred to in Article 11(2).***

#### *Amendment*

4. Where the circumstances that led to the temporary suspension of the exemption from the visa requirement are remedied before the end of the period of validity of the ***delegated*** acts adopted pursuant to paragraphs 1 and 2, the Commission shall adopt ***a new delegated*** act to lift the temporary suspension in accordance with Article ***10.***

Or. en

## **Amendment 132**

**Tineke Strik**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/1806

Article 8f – Title

#### *Text proposed by the Commission*

***Delegated acts***

#### *Amendment*

***Extension of the suspension***

Or. en

## Amendment 133

Tineke Strik

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/1806

Article 8f – paragraph 1

#### *Text proposed by the Commission*

1. Where the grounds referred to in Article 8a persist, the Commission shall adopt, at the latest two months before the expiry of the 12-month period referred to in Article 8e(1), a delegated act in accordance with Article 10, amending Annex II to temporarily suspend the application of that Annex for a period of 24 months for all nationals of the third country concerned. That amendment shall be made by inserting a footnote next to the name of the third country in question, indicating that the exemption from the visa requirement is suspended with regard to that third country and specifying the period of that suspension. The delegated act shall take effect from the date of expiry of the **implementing** act referred to in Article 8e(1).

#### *Amendment*

1. Where the grounds referred to in Article 8a persist, the Commission shall adopt, at the latest two months before the expiry of the 12-month period referred to in Article 8e(1), a delegated act in accordance with Article 10, amending Annex II to temporarily suspend the application of that Annex for a period of 24 months for all nationals of the third country concerned. That amendment shall be made by inserting a footnote next to the name of the third country in question, indicating that the exemption from the visa requirement is suspended with regard to that third country and specifying the period of that suspension. The delegated act shall take effect from the date of expiry of the **delegated** act referred to in Article 8e(1).

Or. en

## Amendment 134

Tineke Strik

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/1806

Article 8f – paragraph 1a new

#### *Text proposed by the Commission*

#### *Amendment*

**1 a. The delegated act shall be accompanied by a Report to the European Parliament and the Council detailing the outcome of the enhanced dialogue with**

*the third country concerned, the measures adopted by that third country and by the Member States concerned, and the reasons for considering that the circumstances leading to the temporary suspension have not been remedied.*

Or. en