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## *Eastern Partnership Visa Liberalisation Index*

### **Review of recent developments**

*June 2013*

The liberalisation of the European Union visa regime is one of the priorities of the EU Eastern Partnership initiative covering Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Achieving visa-free travel for short-term trips between the EU and its Eastern neighbours is important not only for the Eastern Partnership states, but also the European Union. Visa-free regime is not only about helping people-to-people contacts, boosting economic, cultural, scientific cooperation, promoting exchange of knowledge, know-how and ideas, the importance of which cannot be overestimated. The promise of visa-free travel also serves as an important motivation tool for the EaP states to introduce very needed but costly, complex and burdensome reforms. The process of visa liberalisation with the EU is governed by the conditionality principle and is granted to countries that are safe, well-governed, have adequate migration policy and good record in respecting and protecting human rights, including the rights of minorities, and are reliable partners for cooperation with the EU in a number of policy areas. Thus, each EaP country needs to introduce a number of reforms in key policy areas in order to meet these criteria. Thanks to these reforms the EaP countries will be closely cooperating with the EU to ensure public order and security, fight organised crime, protect EU external borders, will not be potential sources of large waves of asylum seekers – and in general will become reliable partners of the EU. Visa-free regime will be achievable when all the required criteria are met. In what follows, we look at the progress recently made by all the Eastern Partnership states in the required policy areas.

### **Introduction**

All the required criteria and benchmarks are set out in the documents prepared by the European Commission known as Visa Liberalisation Action Plans (VLAP). Right now, three out of six EaP states have been granted such Action Plans: Moldova and Ukraine

More information:

Eastern Partnership Visa Liberalisation Index: [monitoring.visa-free-europe.eu](http://monitoring.visa-free-europe.eu)

Visa-free Europe Coalition: [visa-free-europe.eu](http://visa-free-europe.eu)

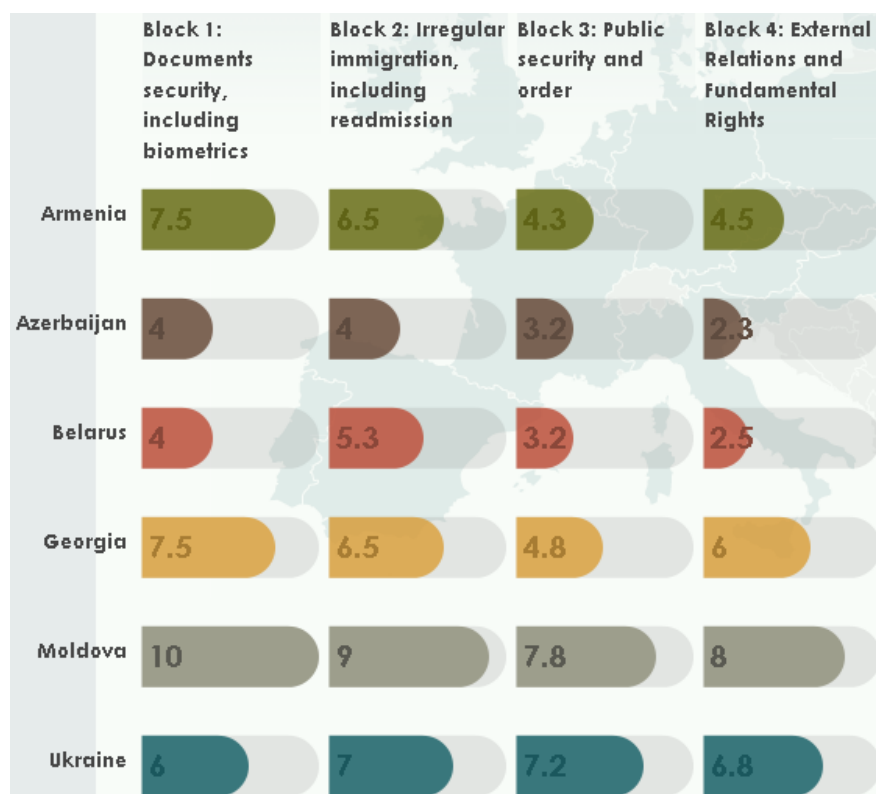
*Supported in part by grants from the Open Society Foundations and National Endowment for Democracy*



in 2011, and Georgia in 2013. However, the main criteria for all the countries are similar. Whereas, all the six EaP countries are implementing reforms in the key policy areas, including Belarus, which does not have official cooperation with the EU on visa policy. For these reasons it is possible to monitor the situation in every country according to a common methodology, including one set of criteria and benchmarks.

All the benchmarks in the Action Plans are grouped into four policy blocks: **Block 1** is focused on ensuring that travel documents issued by EaP states conform to international standards and the issuance process is safe and reliable. **Block 2** is aimed at ensuring adequate level of border and migration management as well as asylum policy in accordance with international standards. **Block 3** focuses on public security and order, including prevention and fighting organized crime, terrorism and corruption; international judicial co-operation and law-enforcement co-operation; and ensuring high level of data protection. Finally, **Block 4** is focused on anti-discrimination and respect and protection of human rights.<sup>1</sup>

In what follows, the most recent developments in each of the six EaP states are presented. For more information please visit the Eastern Partnership Visa Liberalisation Index' website: [monitoring.visa-free-europe.eu](http://monitoring.visa-free-europe.eu)



Aggregated results for each policy Block on a 10-point scale (data for June 2013).

<sup>1</sup> For details, see <http://monitoring.visa-free-europe.eu/methodology>

**More information:**

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## GENERAL ASSESSMENT

Fewer developments were reported in the period February-June 2013 analysed in comparison with the previous one (October 2012 – February 2013). Armenia focused on negotiating and signing the Readmission Agreement with the European Union, which together with the Visa Facilitation Agreement signed in December 2012, constitute the basis for opening a visa dialogue between Yerevan and Brussels. Azerbaijan signed the working agreement with FRONTEX, however it was overshadowed by a significant step backwards in human rights protection and the introducing of restrictive registration procedures for foreigners with obligatory registration within 3 days after arrival in Azerbaijan. Belarus, while not officially conducting any visa negotiations with the EU, did however regulate the operation of the Belarusian-Latvian and Belarusian-Ukrainian borders and Belarusian border guards participated in anti-trafficking training sessions in Tbilisi, Georgia this spring. Only a few activities were observed in the case of Georgia. Tbilisi focused on border management as well as the areas of border security and public order, adopting a border management strategy and signing two important international conventions. Moldova, the unquestionable leader, was most active in the area of introducing new identity documents, border and migration management and fighting corruption. Ukraine, in the past a leader in the pace of reforms and legal approximation to EU law, has recently been overtaken by Moldova. In the period analysed Ukraine introduced new/amended legislation in the sphere of public order and security (fighting corruption, protection of personal data). The anti-discrimination law is expected to be adopted soon, however the shortcomings of the bill have already been reported.

Below you will find a detailed list of recent developments by country.

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## MOLDOVA

Moldova is the unquestionable champion. The country had managed to meet all the benchmarks of the legislative and institutional phase by mid-2012. Now the country is actively implementing the legislation adopted to meet all the criteria of the Visa Liberalisation Action Plan. According to the 4<sup>th</sup> progress report of the European Commission (21<sup>st</sup> June 2013), the progress in implementation of the provisions of the second phase of the Action Plan is very good. The most recent developments include:

### Block 1

- Old-type Soviet passports still in circulation remain a problem and were subject to a political dispute in spring 2013.
- A new type of ID, fully compliant with EU/ICAO standards, has been issued since 8 March 2013.

### Block 2

- The Border Police received a donation from the US Government within the two-year (2012-2014) project with a total budget of 23M USD (April 2013).
- FRONTEX National Point of Contact has been established to coordinate implementation of the cooperation plan for 2012-2014.
- A decision to apply additional measures in monitoring migration flows across the Transnistrian perimeter, including 6 additional migration points, was taken in April 2013.
- UNHCR organised two seminars for Moldovan officials on protection of refugees and border management (April 2013).

### Block 3

- Parliament decided to move the National Anti-Corruption Centre from the supervision of Parliament to the Government (3 May 2013).

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## UKRAINE

Ukraine is very close to fulfilling all the criteria; the country has adopted almost all of the necessary legislation, yet some amendments are necessary to the legislative acts regulating the issuing of biometric passports and fundamental rights. The majority of amendments required have been submitted to Parliament and a number of them have already been adopted.

### Block 2

- Ratification documents on the Ukraine-Belarus border agreement were exchanged during Belarusian President's visit to Kyiv in June 2013

### Block 3

- Several laws were amended to fulfil GRECO recommendations (law "On Amending Some Legislative Acts of Ukraine in compliance with the Criminal Law Convention on Corruption") (May 2013)
- The law "On the introduction of changes to certain legal acts of Ukraine (regarding the implementation of the EU Visa Liberalisation Action Plan for Ukraine as regards the introduction of criminal and legal liability to legal entities)" was adopted by Parliament in order to support the state's anti-corruption and anti-money laundering efforts (23 May 2013).
- Ukrainian Parliament Commissioner on Human Rights took up responsibilities in the sphere of data protection in order to replace State Service on Data Protection, according to amendment to the data protection legislation of 22 May 2013. The Commissioner will now take up responsibilities in the area of data protection: the monitoring of state institutions, issuing of recommendations for improving the level of protection of data on citizens, etc.

### Block 4

- The draft law "On Amending the Legislative Acts of Ukraine on Preventing and Combating Discrimination in Ukraine" was suspended in Parliament on 14 May 2013, and is expected to be adopted during next parliamentary session (starting: September 2013).
- This spring Ukraine presented a list of amendments to be adopted in order to pursue international standards in fighting discrimination.

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## GEORGIA

Georgia received the Visa Liberalisation Action Plan in February 2013. However, the country has already introduced many important reforms in all the policy areas required. Georgia already issues biometric passports and is also especially advanced with regard to border and migration management.

### Block 2

- The National Migration Management Strategy (NMMS) was adopted by the Government on 15 March 2013.

### Block 3

- The CoE Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (# 198) was signed on 25 March 2013.
- The 2nd Additional Protocol (2001) to the European Convention on Mutual Assistance in Criminal Matters was signed on 25 March 2013.

## ARMENIA

Armenia has also taken an important step towards visa liberalisation with the EU. It has started issuing biometric passports and has also made considerable progress in the border and migration management policy area. It has recently signed visa facilitation and readmission agreements with the EU.

### Block 2

- The EU-Armenia Readmission Agreement was signed on 19 April 2013.

### Block 3

- Armenian anti-trafficking activities are now coordinated by the Council on Trafficking Issues, headed by the Deputy Prime Minister.

#### More information:

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## AZERBAIJAN

The country has made some steps towards fulfilling the criteria for visa liberalisation with the EU. It is close to signing visa facilitation and readmission agreements with the EU. It already has a legal basis for the issuing of biometric passports. Although there have been some important developments on the way to relaxing the visa regime, recent steps backwards in human rights protection are worrisome. The most recent developments include:

### Block 2

- A Working Agreement with FRONTEX was signed on 16 April 2013.

### Block 3

- Mutual legal assistance with India was established in April 2013.

### Block 4

- Registration became obligatory for all foreigners within 3 days (earlier 30 days) of entering Azerbaijan from 1 April 2013 due to a presidential decree of 5 March 2013, which copies Russian policy (registration required within seven days).
- The second ASAN (“Easy”) Service Center was launched on 15 May 2013 to provide a central location for services from nine government agencies, including the issuance of identification documents.
- The Azerbaijani MFA requested a reduction in the role of the OSCE Office in Baku in March 2013. It has been explained as adjusting the status of the office to its current activity.
- A number of steps were taken in 2013 which are not consistent with the European Charter of Human Rights, including the violent suppression of anti-government riots.

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## BELARUS

Belarus is the only country out of the Eastern Partnership states that does not have an official visa dialogue with the EU. However, the country has made some important steps to meeting the benchmarks for visa liberalization. The most considerable progress has been made in the area of border and migration management.

### Block 2

- A Belarusian-Latvian and Belarusian-Ukrainian agreements finalising the process of formalisation of the state border regime were signed in 2013 in order to improve border management.
- Belarusian border guards participated in the anti-trafficking training in Tbilisi on 24-27 March 2013 as a part of the Integrated Border Management Initiative of the Eastern Partnership.

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For detailed results please visit: [monitoring.visa-free-europe.eu](http://monitoring.visa-free-europe.eu)

### **Information about the *Visa-free Europe Coalition*:**

*Visa-free Europe Coalition*, launched in 2010 on the initiative of the Stefan Batory Foundation, gathers more than 40 non-governmental organizations from different parts of Europe, working towards visa liberalisation between the EU and its eastern neighbours. The Coalition is the outcome of many years of collaboration between the member organizations. Jointly we have prepared reports and policy papers, recommendations and advocacy tools. The activities of the Coalition are coordinated by the Friendly EU Border project of the Stefan Batory Foundation. For more information see: [visa-free-europe.eu](http://visa-free-europe.eu)

The Stefan Batory Foundation, located in Warsaw, is one of the largest non-governmental organizations promoting democratic and open society values in Poland. Within the Open Europe Program, an international program of Batory Foundation, is located the "Friendly EU Border" project, responsible for visa and border matters.

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