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**COMMISSION IMPLEMENTING REGULATION (EU) .../...**

**of 6.3.2026**

**on the temporary suspension of the visa exemption for nationals of Georgia holding  
diplomatic, service and official passports**

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## on the temporary suspension of the visa exemption for nationals of Georgia holding diplomatic, service and official passports

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement<sup>1</sup>, and in particular Article 8e(1), thereof,

Whereas:

- (1) The Council adopted on 23 May 2016 a decision to conclude the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part<sup>2</sup> (the ‘Association Agreement’).
- (2) The exemption from the visa requirement for nationals of Georgia was granted<sup>3</sup> after it was established that Georgia had met all the benchmarks set out in the Visa Liberalisation Action Plan presented to the Georgian Government in February 2013 and therefore fulfilled the relevant criteria for its citizens to be exempted from the visa requirement. The Regulation entered into force on 21 March 2017.
- (3) Following a visa liberalisation dialogue, Georgia has been listed in Annex II to Regulation (EU) 2018/1806 among the third countries whose nationals are exempt from the requirement to be in possession of a visa when crossing the external borders of the Member States for stays of no more than 90 days in any 180-day period.
- (4) In 2024, despite repeated calls from the EU not to adopt legislation contrary to EU norms and values, and despite strong recommendations from the Venice Commission to repeal it, the Georgian authorities adopted the ‘Law on Transparency of Foreign Influence’. The European Commission for Democracy through Law (Venice Commission) opinion<sup>4</sup> pointed to significant negative consequences for the freedoms

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<sup>1</sup> OJ L 303, 28.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1806/oj>.

<sup>2</sup> Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part (OJ L 261, 30.8.2014, p. 4, ELI: [http://data.europa.eu/eli/agree\\_internation/2014/494/oj](http://data.europa.eu/eli/agree_internation/2014/494/oj)).

<sup>3</sup> Regulation (EU) 2017/372 of the European Parliament and of the Council of 1 March 2017 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (Georgia) (OJ L 61, 8.3.2017, p. 7, ELI: <http://data.europa.eu/eli/reg/2017/372/oj>).

<sup>4</sup> Venice Commission, Urgent Opinion No 1190/2024 on the Law of Georgia on Transparency of Foreign Influence, issued on 21 May 2024 pursuant to Article 14a of the Venice Commission’s Revised Rules

of association and expression, the right to privacy, the right to participate in public affairs as well as the prohibition of discrimination, ultimately affecting also an open, informed public debate, pluralism and democracy. The opinion also analysed the compatibility of the Law with the applicable international and European standards and concluded that the restrictions set by the Law to the rights to freedom of expression, freedom of association and privacy are incompatible with the strict test set out in Articles 8(2), 10(2), and 11(2) of the European Convention on Human Rights (ECHR) and Article 17(2), 19(2) and 22(2) of the International Covenant on Civil and Political Rights (ICCPR) as they do not meet the requirements of legality, legitimacy, necessity in a democratic society and proportionality, as well as with the principle of non-discrimination set out in Article 14 of the ECHR.

- (5) Similarly, the legislative package on ‘Family values and protection of minors’ was adopted despite the Venice Commission’s opinion<sup>5</sup> recommending the authorities to reconsider the proposal in its entirety, as compliance with European and international standards could not be established. The opinion also raised that its adoption risks to further fuel a hostile and stigmatising atmosphere against LGBTQI persons in Georgia.
- (6) In its conclusions of 27 June 2024<sup>6</sup>, the European Council expressed serious concern regarding developments in Georgia and underlined that the ‘*Law on Transparency of Foreign Influence*’ represented backsliding on the steps set out in the Commission’s recommendation for candidate status and called on the Georgian authorities to clarify their intentions by reversing the course of action which jeopardised Georgia’s EU trajectory, leading to a *de facto* halt of the accession process. In its conclusions of 17 October 2024<sup>7</sup> and 19 December 2024<sup>8</sup>, the European Council recalled the foregoing, and called on Georgia to adopt democratic, comprehensive and sustainable reforms, in line with the core principles of Union integration. The European Council also strongly condemned the violence against peaceful protesters, politicians and media representatives.
- (7) On 28 November 2024, the Georgian government announced their intention not to seek the opening of accession negotiations with the Union until 2028. The announcement provoked mass protests in numerous Georgian cities, to which the Georgian authorities responded with the use of disproportionate force and violent methods as well as arbitrary arrests and ill-treatment of protesters, politicians and journalists. The High Representative/Vice-President of the European Commission, the Commissioner for Neighbourhood and Enlargement, the United Nations High Commissioner for Human Rights and the Council of Europe have condemned the repression<sup>9</sup> and called on the Georgian authorities to respect international human rights standards on peaceful assembly and on the use of force.

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of Procedure, endorsed by the Commission at its 139th Plenary Session (Venice, 21 to 22 June 2024), CDL-AD(2024)020

<sup>5</sup> Venice Commission, Opinion No 1188/2024 on the draft Constitutional Law on Protecting Family Values and Minors, adopted by the Commission at its 139th Plenary Session (Venice, 21 to 22 June 2024), CDL-AD(2024)021

<sup>6</sup> European Council conclusions of 27 June 2024

<sup>7</sup> European Council conclusions of 17 October 2024

<sup>8</sup> European Council conclusions of 19 December 2024

<sup>9</sup> Council of Europe Commissioner for Human Rights, Memorandum on the human rights situation in Georgia, CommHR(2025)9, Strasbourg, 10 March 2025.

- (8) The Venice Commission, in its urgent opinion on recent amendments to Georgian legislation on administrative offences and on assemblies and demonstrations,<sup>10</sup> expressed concern that the rushed amendments, adopted without meaningful stakeholder involvement, contain vague and broadly framed provisions and introduce harsh custodial penalties and substantially increased fines, which are likely to have a chilling effect on freedom of assembly and expression and appear incompatible with the principles of lawfulness, necessity and proportionality under international human rights standards. Being inconsistent with the values and norms of the Union, the actions of the Georgian authorities hamper the steady development of economic, humanitarian, cultural, scientific and other ties between the Union and Georgia. Notwithstanding concerns consistently expressed by the Union and its Member States, the Georgian authorities failed to address the issues mentioned above.
- (9) In reaction to the actions of the Georgian authorities, on 27 January 2025 the Council adopted Decision (EU) 2025/170<sup>11</sup> on the partial suspension of the application of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas (Facilitation Agreement<sup>12</sup>), which exempted holders of diplomatic, service and official passports of the visa requirement. While Georgia is still listed in Annex II to Regulation (EU) 2018/1806, following that partial suspension, Member States may, pursuant to Article 6(1) of Regulation 2018/1806, reintroduce visa requirements for holders of diplomatic, service and official passports.
- (10) In its 2025 Enlargement Report on Georgia of 4 November 2025,<sup>13</sup> the Commission found significant backsliding on the fundamentals of the accession process, including democracy, the rule of law, judicial independence and the protection of fundamental rights, noting in particular repressive legislation and practices targeting protesters, civil society, independent media and opposition figures, serious shortcomings in the conduct of elections, and widespread violations of human rights. Those findings confirm that Georgia has not addressed previous recommendations and that the deterioration in respect of Union values and in Union-Georgia relations has further deepened.
- (11) Regulation (EU) 2018/1806 sets the criteria for listing third countries in its Annex I or II, including, *inter alia*, the Union's external relations with the country concerned and, in particular, considerations of human rights and fundamental freedoms. Pursuant to Articles 8c and 8d of that Regulation, the Commission monitors and reports on the continuous compliance, by third countries that obtained visa-free travel following a visa-liberalisation dialogue, with the specific requirements for exemption in Article 1 to that Regulation.
- (12) In that regard, the Seventh Report under the Visa Suspension Mechanism of 6 December 2024,<sup>14</sup> adopted as part of the monitoring obligation under Regulation

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<sup>10</sup> Venice Commission, Opinion No 1226/2024 on amendments to the Code of Administrative Offences and the Law on Assemblies and Demonstrations, issued on 3 March 2025 pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure, endorsed by the Commission at its 142nd Plenary Session (Venice, 14 to 15 March 2025), CDL-AD(2025)001.

<sup>11</sup> Council Decision (EU) 2025/170 of 27 January 2025 on the partial suspension of the application of the Agreement between the European Union and Georgia on the facilitation of the issuance of visas (OJ L, 2025/170, 28.1.2025, ELI: <http://data.europa.eu/eli/dec/2025/170/oj>).

<sup>12</sup> Agreement between the European Union and Georgia on the facilitation of the issuance of visas (OJ L 052, 25.02.2011, pp. 34-44

<sup>13</sup> Commission Staff Working Document "Georgia 2025 Report", SWD(2025) 757 final.

<sup>14</sup> COM(2024) 571 final: [eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52024DC0571](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52024DC0571)

(EU) 2018/1806, identified that the adoption and implementation of the *Law on Transparency of Foreign Influence* and the *legislative package on Family Values and Protection of Minors*, together with gaps in the human rights action plan, undermine freedom of association, expression and assembly, the right to privacy and participation in public affairs and increase risks of discrimination, in particular against LGBTIQ persons. It recommended urgent steps, including the repeal of the above-mentioned laws and the alignment of its visa policy with the Union *acquis*. Simultaneously, the Seventh Report signalled that, failing such action, the Commission would reflect on the possible activation of the visa suspension mechanism in relation to certain categories of persons.

- (13) On 14 July 2025, the Commission sent a formal letter to the Georgian authorities recalling the obligation of continued compliance with the visa liberalisation benchmarks which were used to assess the appropriateness of granting Georgian nationals an exemption from the visa requirement and requesting detailed information on the implementation of the recommendations set out in the Seventh Report under the Visa Suspension Mechanism. In their response, Georgian authorities failed to demonstrate any meaningful progress in addressing the Commission's recommendations, notably to ensure and uphold the protection of fundamental rights of all Georgian citizens and to avoid and repeal any legislation that restricts fundamental rights and freedoms, violates the principle of non-discrimination and contradicts relevant Union and international standards.
- (14) The findings of the Seventh Report were reiterated and reinforced in the Eighth Report under the Visa Suspension Mechanism of 19 December 2025,<sup>15</sup> which concludes that Georgia continues to be in breach of the benchmarks underpinning the visa-free regime granted by the EU. Furthermore, the report found that Georgia has not addressed the recommendations of the Seventh Report and has instead regressed further in key areas of governance and fundamental rights, including through the adoption of the *Foreign Agents Registration Act* and amendments to the *Laws on Grants, the Organic Law on Political Associations of Citizens, the Code on Administrative Offences, the Law on Broadcasting and the Law on Gender Equality*, as well as through the use of unlawful and excessive force against protestors, the targeting of opposition representatives, civil society actors and independent media, and the persistence of systemic discrimination against LGBTIQ persons.
- (15) Against this background, the developments described in the Seventh and Eighth Reports show that Georgia no longer complies with the specific requirements for a visa exemption in Article 1 of Regulation (EU) 2018/1806 including respect for human rights and fundamental freedoms, thereby substantiating the grounds for suspension set out in Article 8a(1), point (g), of that Regulation.
- (16) Considering the European Council's conclusions of 27 June 2024 and 17 October 2024, the developments recorded in the Seventh and Eighth Reports on the Visa Suspension Mechanism, the findings of the 2025 Enlargement Report on Georgia, and subsequent Union-level steps including the partial suspension of the EU–Georgia Visa Facilitation Agreement and the Commission guidelines recommending national visa requirements for holders of diplomatic, service or official and special passports, the Commission has concluded that there has been a deterioration in the Union's external relations with Georgia due to grave violations of fundamental freedoms

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<sup>15</sup> COM(2025)792 final

within the meaning of Article 8a(1), point (h)(ii), of Regulation (EU) 2018/1806. Moreover, the Venice Commission's opinions, statements by the United Nations High Commissioner for Human Rights and the Council of Europe all recall the standards on peaceful assembly and use of force. Their opinions and statements are consistent with the Commission's conclusions relating to the existence of serious breaches of international legal standards within the meaning of Article 8a(1), point (h)(iii), of Regulation (EU) 2018/1806. In accordance with Article 8c(2) of Regulation (EU) 2018/1806, on 16.01.2026 the Commission informed the European Parliament and the Council that, after analysing relevant data, reports and statistics, it had concrete and reliable information on the existence of circumstances amounting to the grounds for suspension set out in Article 8a(1), point (g) and points (h)(ii) and (iii), of that Regulation.

- (17) Taking account of that analysis, the Commission considers that action is necessary under Article 8e(1), point (a), of Regulation (EU) 2018/1806. The Commission has expressed readiness to work in close cooperation with Georgia and has made recommendations to seek alternative long-term solutions addressing the circumstances amounting to the grounds for suspension set out in Article 8a(1) of Regulation (EU) 2018/1806. It has taken into account the political context, the economic matters at stake and the consequences of a suspension for the Union's and the Member States' external relations with Georgia, as well as the consequences of a suspension on civil society in Georgia given the deterioration in the human rights situation.
- (18) The increased risks and the deterioration in external relations can possibly be mitigated by a targeted and proportionate suspension of the exemption from the visa requirement. In compliance with Article 8e(3) of Regulation (EU) 2018/1806, the suspension is to 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. The categories should be broad enough to contribute effectively to remedying the circumstances while respecting proportionality and non-discrimination in line with Article 21 of the Charter of Fundamental Rights.
- (19) Considering that the Georgian authorities are responsible for the deterioration of the situation and the violation of human rights and fundamental freedoms, and in order to mitigate the consequences of the suspension on the general population, the suspension should be limited to holders of diplomatic, service, and official passports issued by the Georgian authorities. In accordance with Article 8e(1) of Regulation (EU) 2018/1806, the suspension should be enacted for a period of twelve months.
- (20) Pursuant to Article 8e(6) of Regulation (EU) 2018/1806, during the period of suspension, the categories of nationals covered by that Regulation must hold a visa when crossing the external borders of the Member States for stays of no more than 90 days in any 180-day period. Pursuant to Article 8e(7) of Regulation (EU) 2018/1806, where the grounds for suspension are those in Article 8a(1), points (g) and (h), of that Regulation, as it is in the situation at hand, Member States are not to provide new exceptions under Article 6(1), point (a), of that Regulation, and Member States that have bilateral agreements with the third country concerned are to take the necessary steps not to apply exceptions adopted pursuant to Article 6(1), point (a) of that Regulation.

- (21) If the issues that led to the first suspension persist, the Commission is entitled to use its prerogative under Article 8f(2) of Regulation (EU) 2018/1806 to adopt a delegated act that could extend the temporary suspension, for a 24-month period, and expand it, pursuant to Article 8f(1) of that Regulation, to the entire population. Ultimately, if the conditions giving rise to the suspension still perdure despite previous steps, Georgia could lose its visa-free status entirely through its removal from Annex II and its inclusion in Annex I of Regulation (EU) 2018/1806, which contains all third countries under a visa obligation.
- (22) Nationals of Georgia who entered the Union before ... [the date of entry into force of this Regulation] should be allowed to continue their stay in the Union and exit without a visa. This should not apply to the crossing of temporary external borders between Member States as defined in Article 2, point (c), of Regulation (EU) No 515/2014 of the European Parliament and of the Council.<sup>16</sup>
- (23) In view of the gravity of the situation in Georgia, this Regulation should enter into force on the date of its publication in the *Official Journal of the European Union*.
- (24) As regards Iceland and Norway, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis*, which fall within the area referred to in point B of Article 1 of Council Decision 1999/437/EC<sup>17</sup>.
- (25) As regards Switzerland, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement signed between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, which fall within the area referred to in points B and C of Article 1 of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC<sup>18</sup>.
- (26) As regards Liechtenstein, this Regulation constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, which fall within the area referred to in points

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<sup>16</sup> Regulation (EU) No 515/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for external borders and visa and repealing Decision No 574/2007/EC (OJ L 150, 20.5.2014, p. 143, ELI: <http://data.europa.eu/eli/reg/2014/515/oj>).

<sup>17</sup> Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31, ELI: <http://data.europa.eu/eli/dec/1999/437/oj>).

<sup>18</sup> Council Decision 2008/146/EU of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1, ELI: <http://data.europa.eu/eli/dec/2008/146/oj>).

B and C of Article 1 of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2011/350/EU<sup>19</sup>.

- (27) This Regulation constitutes a development of the provisions of the Schengen acquis in which Ireland does not take part in accordance with Protocol No 19 on the Schengen *acquis* integrated into the framework of the European Union, annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, and, subject to the application of Article 4 of that Protocol, Ireland is not bound by it or subject to its application.
- (28) As regards Cyprus, this Regulation constitutes an act building upon, or otherwise relating to, the Schengen acquis within the meaning of Article 3(1) of the 2003 Act of Accession.
- (29) The measures provided for in this Regulation are in accordance with the opinion of the committee established by Article 11(1) of Regulation (EU) 2018/1806,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

#### **Temporary suspension of the exemption from the visa requirement**

The exemption from the visa requirement provided for in Article 4(1) of Regulation (EU) 2018/1806, shall be suspended for a period of 12 months for holders of diplomatic, service and official passports issued by Georgia.

#### *Article 2*

#### **Continuation of visa-free stay**

Holders of passports falling within the scope of Article 1 and having entered the Union before **[the date of entry into force of this Regulation]** may continue their stay in the Union and exit the Union without a visa. This does not apply to the crossing of temporary external borders, as defined in Article 2, point (c), of Regulation (EU) 515/2014, after **[the date of entry into force of this Regulation]**.

#### *Article 3*

#### **Entry into force**

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*. It shall apply as from its entry into force.

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<sup>19</sup> Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 6.3.2026

*For the Commission*  
*The President*  
*Ursula VON DER LEYEN*

