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## VISA LIBERALISATION: WHAT DOES THIS MEAN IN REALITY FOR MOLDOVA AND GEORGIA?

### **Summary:**

*Within the framework of the “Visa Liberalisation Dialogues” conducted by the EU with three Eastern Partnership countries, namely Ukraine, Moldova and Georgia, two of them, initially Moldova and now already Georgia have been successful so far in terms of gaining visa free travel to the Schengen zone countries, however still under special circumstances. In particular, the regime is functional for those who hold a biometric passport and at the same time, it works only for the short-stay visits, i.e., for a period of stay of 90 days in any 180-day period. The article analyses not only the effects of the “Visa Liberalisation” on the example of Moldova, as well as foresees the general dynamics in the case of Georgia, but there has been also addressed the main question on how much the visa liberalisation means only the specific type of cooperation of these countries with the EU with no mandatory membership or can eventually lead to that, in the light of the current dynamics of the European community development.*

### **Keywords:**

*visa liberalisation; Schengen zone; EU; Moldova; Georgia; Eastern Partnership (EaP) countries; Transnistria; Abkhazia; Samachablo (s. c. South Ossetia)*

## **Introduction**

As this is well-known, the EU has conducted “Visa Liberalisation Dialogues” with three Eastern Partnership countries, in particular, with Ukraine, Moldova and Georgia. Through these dialogues, led by Directorate General (DG) Migration and Home Affairs, the EU has gradually followed its long-term strategy of granting visa-free travel on a case-by-case basis, provided that conditions for well-managed and secure mobility are in place.

It is noteworthy to mention that the dialogues were built upon “Visa Liberalisation Action Plans” (VLAP), which include four blocks of benchmarks related to document security, including:

- biometrics;
- border management, migration and asylum;
- public order and security;
- external relations and fundamental rights.

The benchmarks concerned both the policy and institutional framework (legislation and planning) and the effective and sustainable implementation of this framework.

The implementation of the Action Plans has been closely monitored by the Commission through regular progress reports, transmitted to the European Parliament and the Council, and which are publicly accessible. In addition, progress has been monitored through regular meetings of senior ranking officials from the European Commission and the partner countries<sup>1</sup>.

### **Experience of Moldova**

The EU-Republic of Moldova Visa Liberalisation Dialogue was launched on 15<sup>th</sup> June 2010 and the VLAP was presented to the Moldovan authorities in January 2011. There were issued five Progress Reports on Moldova from 2011 to 2013 along with a Report on the Possible Migratory and Security Impacts of Future Visa Liberalisation for Moldova on the EU (August 2012).

The European Commission proposed on 27<sup>th</sup> November 2013 to allow visa-free travel to the Schengen area for Moldovan citizens holding a biometric passport. This proposal was built on the successful implementation by the Republic of Moldova of all the benchmarks set in its Visa Liberalisation Action Plan. The decision to transfer the Republic of Moldova to the list of third countries whose nationals are exempt from visa requirement came into effect on 28<sup>th</sup> April 2014. From this date, the visa obligation for citizens of Moldova, the first EaP country in this regard, who hold a biometric passport and want to travel to the Schengen zone for a short-stay was abolished<sup>2</sup>.

While analyzing the outcomes of the visa-free regime with the EU for Moldova after three years of its establishment, we have to take into account some important statistics and trends; generally, the number of biometric passports issued by the Moldovan authorities significantly increased and composed almost half of country’s whole population (according to the official data of the

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<sup>1</sup> *Visa liberalisation with Moldova, Ukraine and Georgia*, The official website of the Directorate-General of the European Commission, “Migration and Home Affairs”, <[https://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/eastern-partnership/visa-liberalisation-moldova-ukraine-and-georgia\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/eastern-partnership/visa-liberalisation-moldova-ukraine-and-georgia_en)> (30.04.2017).

<sup>2</sup> *Ibidem*.

state-run Centre for State Information Resources “Registru”, 3.965.776 million people as of 1<sup>st</sup> January 2017)<sup>3</sup> for April, 2016. In two years after the visa liberalisation, around 577.058 Moldovan citizens (in fact much less than the total amount of biometric passport holders) travelled to the Schengen area for 1.400.122 times<sup>4</sup>. Lesser travels can be explained by the social-economic problems of Moldovans and their low average income rates.

Statistical data<sup>5</sup>, provided by the European Border and Coast Guard Agency (Frontex), points that practically none of indicators of migration tendencies, including, inter alia, illegal crossings of the green border, clandestine entries, illegally staying in the EU, are a cause for concern for the shape of a EU’s visa-free regime with Moldova. It is worth to distinguish one appealing issue. Level of the refusals of entry increased, for example, in May 204 (the largest one in the whole year). It was caused by the fact, that some travellers were not informed about the principle, that visa waiver only applies to citizens holding a biometric passport (everyone else still need to apply for a visa as before). Despite this, the amount of entry refusals in 2014 doubled in comparison with the previous year (this upsurge was based mainly on the lack of justification for entry). There was also general increase of number of asylum applications, lodged by Moldovans in the EU. However, this was insignificant in comparison to other nationalities, especially when European Community currently faces massive migration.

Although, separate issue arising with changing intensity in the time dynamics, which needs special attention from the Moldovan authorities is connected with the document fraud or the falsification of Moldovan biometric passports by criminal groups, corrupting courts of law or employees responsible for issuing documents<sup>6</sup>. According to all the relevant figures though, Moldovan citizens illustrated more or less responsible attitude towards the visa-free travel opportunity to the Schengen states.

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<sup>3</sup> *State Register of Population: Statistics of the State Register of Population on physical persons residing on the territory of the Republic of Moldova in the territorial and administrative division (effective 01.04.2017)*, The official website of the State Enterprise Centre for State Information Resources “Registru” (SE CSIR “Registru”), <<http://www.registru.md/en/date-statistice/in-profil-administrativ-teritorial>> (30.04.2017).

<sup>4</sup> *News from Moldova: Two years of visa free travel for Moldovan citizens to the European Union*, The official website of the Embassy of the Republic of Moldova to the Kingdom of Belgium, <<http://www.belgia.mfa.md/news-from-moldova-en/?news=503820>> (30.04.2017).

<sup>5</sup> *Eastern Partnership Risk Analysis Network Quarterly Reports*, The official website of the European Border and Coast Guard Agency (Frontex), <<http://frontex.europa.eu/publications/>> (30.04.2017).

<sup>6</sup> *Ibidem*.

## Transnistria

Among the main attractions of largely beneficial Euro-Atlantic integration agenda overall, as well as of visa liberalisation with the EU for Moldova as one of the crucial parts of such course, is evidently if not solving, at least making the Transnistrian problem easier to some extent, with more optimistic future prospects of resolving the conflict gradually. In this particular case, i.e. with gaining the visa-free travel opportunity, Moldova expects more Transnistrians to apply for Moldovan biometric passports even for the purpose of gaining simpler access to the Schengen countries, but that would serve to their voluntary reconnection with the country's constitutional bodies and logically serve as an additional motivation for the reconciliation. Until December 2015, the number of biometric passports issued to Transnistrians exceeded 97.000, which is about one third of the region's total population of approximately 300.000, according to unofficial sources.

## Case of Georgia

The EU-Georgia Visa Liberalisation Dialogue was launched on 4<sup>th</sup> June 2012 (IP/12/561) and the VLAP was presented to the Georgian authorities on 25<sup>th</sup> February 2013. There were published four Progress Reports on Georgia from 2013 to 2015.

The European Commission proposed on 9<sup>th</sup> March 2016 to allow visa-free travel to the Schengen area for Georgian citizens holding a biometric passport. This proposal was built on the successful implementation by the Republic of Georgia of all the benchmarks set in its Visa Liberalisation Action Plan<sup>7</sup>. The European Commission submitted a legislative proposal on the visa liberalization for Georgia to the European Parliament. Initially it was assumed that visa-free regime would be discussed for both countries as a package, Georgia and Ukraine, but the MEPs (Members of the European Parliament) decided to divide the two countries. On March 1<sup>st</sup>, 2017, Georgians have been granted the freedom to travel to the Schengen Area member states. Since 28<sup>th</sup> March 2017, Georgian citizens holding biometric passports can travel to the Schengen Zone without a visa for a period of 90 days within any 180-day period for purposes other than working<sup>8</sup>, and thus, the South Caucasian state became the second EaP country in this respect.

Among other challenges Georgia is expected to face as an outcome of the visa liberalisation, the likelihood of a certain increase especially in refusals of

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<sup>7</sup> *Visa liberalisation with Moldova, Ukraine and Georgia, op. cit.*

<sup>8</sup> *Georgian citizens can travel to the Schengen Zone without a visa,*

<<https://www.schengenvisainfo.com/georgian-citizens-can-travel-to-the-schengen-zone-without-a-visa/>> (30.04.2017).

entry or of the number of asylum applications, exists. However, the effective operability of the migration and border management bodies taking into account Georgia's evident progress for already more than the last decade in terms of modernized structural reforms and success of Western institutionalism in general, would be of great importance in order to successfully maintain the visa-free regime along with the Georgian Government's support for the country's Euro-Atlantic integration course on a permanent basis.

In the similar context as is seen Transnistria for Moldova, Georgia considers the visa liberalisation with the Schengen zone as a new incentive for the people from Abkhazia and Samachablo (s. c. South Ossetia) to voluntarily reconnect with the Georgian administrative authorities, that would eventually contribute to reconciliation and gradual conflict-resolution.

### Conclusion

Visa liberalisation regimes, with or without leading to the eventual EU membership for the EaP countries (namely, Moldova, Georgia, and Ukraine), has obvious advantages. It should be noted, that the success of abovementioned countries, despite the effective work that has already been concluded and political gains, largely depend on the development of the EU itself. One must consider identity, economic, political and refugee crises the European Union currently faces. Of course, as the results of this analysis indicate, Moldova needs even more improvement through concentrated actions of the state government in general or the administration of migration, and good border management. These actions must be carried out with realistic perspectives of overcoming issues related to, for instance, document fraud, corruption etc.

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