Georgia:
Towards visa liberalisation (№ 3)

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Although Georgia started negotiations about visa liberalisation (the lifting of the visa requirement) with the EU noticeably later than both Moldova, which was granted a visa free regime after fulfilling all the criteria in April 2014, and Ukraine, whose citizens still need a visa to travel to the Union, it started the modernisation and reform process earlier, which meant that to some extent the basic criteria had already been fulfilled when visa-free talks were launched.
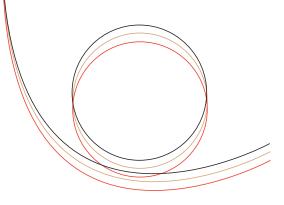
One of the main purposes of the long and difficult process of negotiating a visa-free regime is for the EU to ensure that the third country is well prepared in the sphere of migration management, that international standards are met and no risk of irregular migration or an increased inflow of asylum seekers is likely after the introduction of the visa waiver. It focuses on two types of activities – the first which is aimed at improving the situation of immigrants to Georgia from other third countries, so that Georgia does not become a transfer country for them, along with the introduction of asylum procedures and fighting trafficking in human beings. The second aims at preventing Georgian citizens from illegally migrating to the EU, by introducing biometric passports, modern border management, etc.

Before it is possible to waive the visa requirement, the third country is required to modernise its migration management policy, having received a detailed list (as a part of Visa Liberalisation Action Plan, VLAP[1]) of reforms to be implemented. In any case the European Union has tools to protect itself from illegal immigrants – the visa-free regime is only for those who have an ICAO-compliant[2] biometric passport and the EU Visa Information System (VIS), operating at every Border Crossing Point (BCP) on the external border, provides every border guard officer with basically the same information as the consul at the Member State's consulate. Also, a suspension mechanism was adopted by the EU in 2013, allowing the temporary re-introduction of the visa regime for certain third countries in the event of an increased migration risk.

A visa-free regime with the Republic of Moldova, introduced 28th April 2014 as the first based on the new procedures and the first for an Eastern Partnership country, has been working smoothly ever since with no noticeable impact on irregular migration

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1 VLAPs replaced old-type „roadmaps", offered to Western Balkan countries, focused more on introduction of some abstract „policies" than adoption of concrete legal acts and their implementation. „Roadmaps", in opinion of critics, failed to protect the EU from increased inflow of asylum seekers after visa liberalisation in 2009, especially from Serbia.
2 ICAO – International Civil Aviation Organization sets security standards for travel documents.

figures. Georgia has been undergoing a programme of reforms, similar to Moldova's, in the area of migration management since receiving the VLAP in February 2013.
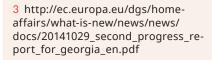
The first type of activities were generally executed in 2014: the law "On the Legal Status of Aliens and Stateless Persons" entered into force on 1st September 2014 with the by-laws already adopted in August 2014. In February 2014 work on a Unified Migration Analytical System (aimed at monitoring migration stock and flows) was launched, and the system is to be operational by mid-2016. A new training module on asylum seekers and refugees was added to curricula of Patrol Police and Border Control Officers. The legal framework for asylum was amended in 2013 and currently meets international standards. The existing legislation and policies give Georgia the proper tools to address the issue of trafficking human beings. According to the EU assessment, the legal frame-work is in place and its implementation is ongoing[3]. On the other hand, Georgia faces separatism in two of its regions, Abkhazia and South Ossetia, which are not controlled by Tbilisi. However, it is generally efficient in controlling movement through the administrative line between these areas and the Georgian mainland[4].

Regarding the second type of activities, biometric passports have been issued since 2010 which meet international standards and Georgia cooperates with Interpol, reporting lost and stolen documents. The "State Border Management Strategy (2014–2018)" was adopted in March 2014 and an Action Plan for its implementation was adopted in May 2014. As stated in the EC progress report, Georgia collaborates with other countries and organisations in order to improve border management. It has also concluded a Cooperation Plan with FRONTEX for 2013–2015. Furthermore, Georgia has prepared a migration profile, a document describing the migration trends in the country, and updates it on a regular basis. The legal bodies responsible for the state migration policy are: the Department of Migration of the Ministry of Internal Affairs and the State Commission on Migration Issues.

Nevertheless, the most important aspect from the EU's point of view is the Readmission Agreement between the EU and Georgia, which has been in force since 2011 and allows the authorities of EU Member States to readmit third country nationals entering the Union from Georgia illegally, passing the responsibility of taking care of them back to Tbilisi. Georgia has signed implementing protocols of the Agreement with several EU MS, including Estonia, Hungary, Belgium and Austria, while negotiations with further Member States are ongoing. According to the International Organisation on Migration (IOM) the Electronic Readmission Management System works smoothly, based on a preliminary, informal assessment from the EU Member States[5].

Georgia is a small country in terms of population and therefore it does not constitute a migration threat to the European Union. Out of its nearly 4.5 million citizens, 80,967 received a Schengen visa in 2014, and the share of multiple entry visas (MEVs) was 32.4%[6]. In Frontex data about crossings of the EU external border in the 4th quarter of 2014[7], Georgians are not included in the list of nationals applying for asylum in the EU, since their number was insignificant. With regards to refusals of entry, in 2014 slightly over 5,000 Georgian citizens were issued such decisions. The main reason for refusal (over 90% in Q4 2014) was the lack of valid visa or residence permit. Regarding detected attempts to illegally cross the EU land border (between border crossing points), out of over 63,000 third country nationals, only 260 were Georgians in 2014.

Georgia and Moldova share not only a similar experience in terms of history and the separatism problem, but also when it comes to the process of visa liberalisation. Not only are both countries comparable in terms of territory and population, but they are both undergoing a similar process of modernisation, also of their migration policy, as required by the VLAP. It should be highlighted that the EU's new process of visa liberalisation in the case of Moldova has proved its effectiveness in preventing a sharp increase in migration to the EU. Given the fact that Georgia, due to its small population, is not a potential source of massive inflows of irregular migrants, that irregular migration is currently marginal compared to *bona fide* travellers from Georgia and that it has introduced a number of systemic reforms in order to control migration coming in and out of the country, it can be stated that after visa liberalisation, it will become neither a migration threat to the EU, nor the source of a significant number of asylum seekers.

3 http://ec.europa.eu/dgs/home-affairs/what-is-new/news/news/docs/20141029_second_progress_report_for_georgia_en.pdf

4 For more details see: http://visa-free-europe.eu/2015/03/georgia-towards-visa-free-regime-%E2%84%96-2/

5 IOM, *Readmission to Georgia*, Issue #3, September 2014

6 http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/docs/2014_global_schengen_visa_stats_compilation_consulates_-_final_en.xlsx

7 http://frontex.europa.eu/assets/Publications/Risk_Analysis/FRAN_Q4_2014.pdf