

Visa Facilitation and Readmission: Georgia's Visa Liberalizations Prospects with the EU

I interim report

6 June, 2011



Project

GOAL	Awareness raising; transparency; monitoring; co-participation; 'drawing closer' to Visa Liberalization with the EU
I phase	Interim Report- Visa Facilitation and Readmission Agreements- contents, meaning, commitments and obligations; new regulations; opportunities and risks; expectations and perspectives; related processes and data, etc.
II phase	Interim Report – Experiences of Moldova and Ukraine; the dynamics of cooperation with the EU; relevant activities of the civil actors;
III phase	Final Report – The perspective for Georgia's Visa Free mobility with the EU

Contents

Introduction	The EU “Black” and “White Lists;” Migration and Labor Migrants; Projects and Initiatives;
Visa Facilitation	The Agreement; major pillars and regulations; coverage area; conditions and rules; visa statistics; visa categories; awareness and information; the EU consulates.
Readmission	The Agreement; major pillars and regulations; coverage area; conditions and rules; labor migration; remittances; deportations; potential migrants; awareness and information;
Conclusion	The implications of the Agreements; tangible changes; challenges; expectations and risk assessments; outcomes and future prospects;
Annexes	The EU Embassies and Consulates; the EU citizens’ visits to Georgia; the EU visas for Georgians; Visa Application form; the list of documents needed for visa; Form of refusal to visa application; Remittances; Deportations.

The EU “Black” and “White” Lists

The European Council #539/2001 Regulation - 2001

- **41 countries and territories – the EU “White list”**
- **Visa Facilitation and Readmission: 9 countries**
Albania; Bosnia-Herzegovina; Macedonia; Moldova, Montenegro; Russia; Serbia; Georgia; Ukraine
- **Macedonia, Montenegro, Serbia: “White List,” 2009**
- **Albania and Bosnia-Herzegovina: “White List,” 2010**
- **Moldova and Ukraine: Facilitation and Readmission - 2008**
Dialogue on visa liberalization - 2010

Georgia's "Open Door" Policy

Law of Georgia on legal Status of Foreigners

1 June, 2006 - 90 days ; 14 January, 2009 - 360 days

- **Visa free regime for more than 80 countries;**

Henley & Partners Visa Restrictions 2010 Index

Position	Country	Index*
1	United Kingdom	166
5	Germany, France, Italy, Netherlands	161
49	Russia	83
65	Ukraine	64
67	Ghana	62
71	Moldova, Saudi Arabia	57
72	Georgia, Belarus	56
73	Benin	54
92-98	Iran, Iraq, Afghanistan, Somalia, Sudan	34-26

Georgia's "Open Door" Policy

547 390 citizens entered from the European Union In 2004-2010

The highest rate	The lowest rate
Germany - 90 826 United Kingdom - 65 506 Greece - 79 713 Bulgaria - 48 572 France - 41 096	Cyprus - 1377 Malta - 533 Luxembourg - 434

After the unilateral liberalization in 2006 :

2005 - 48 508 Persons 2010 - 108 749 Persons

2007-2009 The European Union Visas

Year	Total Visa	A, B, C Visa	Visa rejected
2007	58 533	55 042	6659
2008	60 439	56 495	10239
2009	55 323	51 198	10620

A Category - an airport transit visa

B Category - a transit visa, for passing through the Schengen area

C Category - business and tourist visa for short-term stays

** These Categories are included in the Visa Facilitation Agreement*

*** Airport transit visa equals to short-term visa.*

2007-2009 The European Union Visas

6 leader countries

#	Countries	2007-2009	
		visas issued	visas not issued
1	Germany*	55878	8903
2	Italy*	12587	900
3	Netherlands*	11889	2470
4	Greece	16826	5166
5	France	19035	2088
6	Czech Republic	16428	2757
Total		162735	27518

* Germany, Italy and Netherlands represent also the other EU member states in Georgia

Migration - Georgia

- An estimated 22,9 per cent of Georgia's population is in emigration, (IOM, 2008) nearly **80 percent of them are illegal labor migrants**
- Total number of emigrants is around **900 000** (20 percent of population), **72 percent** of them **send remittances** back to Georgia (IPPR, 2010)
- Currently, **40.4 per cent of labor migrants - Western Europe** (15.5 percent Greece); 36.5 percent - Russia (IPPR, 2010)
- With the index of net migration* (per 1000 persons) Georgia in one of the leaders in the region (EE, CA, "New Europe") - (IOM, 2010)

Region (0 / – 1.5)

Georgia – 12 (2005-2010)

–20 (1990-1995)

- Georgia is in the group of the so called “sending” countries

** Net migration is the difference between the total number of immigrants and the annual number of emigrants. (WB, 2010)*

Georgia – 249,999

Armenia – 75,000

Azerbaijan – 50,000

Moldova – 171,748

Labor Migration - Georgia

- **Destinations:** Russia, CIS space, Turkey, the European Union
- **The EU countries:** Greece, Italy, Cyprus, Spain, Germany and Poland

(ENPI08-14, Black Sea Labour Market Reviews)

- **Each fourth family - one labor migrant**

(IPPR/GNP, 2010)

- 11percent of households - average annual assistance from the family member - **1325 \$**
- 10 percent of households - not from direct family members (e.g., relatives) - **1120 \$** in average
- From western Europe – approximately **2000 \$**
- The average annual income of households **2244 \$**

According to the National Bank 2008

3665 \$

Remittances

- **Total 4,202,972 U.S. \$ in 2006-2010** (National Bank)
(With max 70% share in all remittances, that grow year by year)
- **Share in GDP from 7 percent up to 8.5 percent**
(*e.g. the share of agriculture in GDP is approximately 10 percent*)

European Union	17.05%
Other countries	82.95%
Russia	60.15 %

29.46% - Greece
22.79%- Italy
14.54% - Spain
6.12% - Germany
5.98 % - Cyprus
5.04% - United Kingdom

The smallest:
Luxembourg - 0.01%

Potential Migrants

IOM 2006-2007 survey

Destinations: 20 per cent – the US; 20 per cent - any country, other: EU

Gender : 54.36 per cent - Female - 45.64 percent - Male

Age: up to 25 - 22.60 per cent; 25 -30 - 18.31 per cent, 45-50 - 13.66 per cent

Education: higher- 49.21 per cent, professional-31.40 per cent,

Profession: Teachers, lecturers - 18.74 per cent, medical personnel - 11.23 per cent, engineers/architects - .30per cent, economists and social scientists 8 per cent, students – 8 per cent.

Jobs (in emigration): nurse -27.68 per cent , any job - 23.61 per cent , Service -10.37 per cent

Preparation and adaptation: Language knowledge – 40 per cent - only basic; 84.5 per cent - without any experience of study and work abroad

- Around 85 per cent of Georgian labor migrants had No prearranged jobs prior to emigration (IPPR/GDN, 2010)

Deportations

- **2051 deportations from the EU in 2009-2010** , (*according to the Ministry of Internal Affairs*)

Year 2009 – 780 persons Year 2010 - 1271 persons

According to the Ministry of Internal Affairs (incomplete data) deportations are less in 2005-2008.

3 other countries with highest index of deportations:

e.g., 85 percent of deportations in 2007

Russia (2047)

Turkey (5319)

Ukraine (823)

Poland	489
Greece	415
Germany	339
Austria	147
Spain	120
France	119
Czech Republic	106

The visa facilitation agreement apply to:

17 June, 2010 / 1 March, 2011

Austria
Belgium
Bulgaria
Germany
Spain
Estonia
Italy
Cyprus
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Greece



France
Slovakia
Slovenia
Hungary
Finland
Sweden
Czech Republic

does not apply to:

United Kingdom
Ireland
Denmark

Visa Facilitation

The main pillars of the agreement

1. Documentary evidence proving the purpose of the journey
 - 13 categories
2. Multiple-entry visas
 - up to five years
 - up to one year
 - minimum of two years and a maximum of five years
3. Diplomatic passports – visa free
4. Visa fees
 - reduced visa fee of 35€ instead of 60 €
 - total exemption from the visa fee for 12 categories

Visa Facilitation

The main pillars of the agreement

5. Consideration of the visa application within 10 days

6. The EU Visa Code:

- Consular services in official language of applicant state citizens
- The list of minimum requirements
- Justification for the refusal of visa
- The right of appeal

7. Joint Committee

- monitoring the implementation of the Agreement;
- suggesting amendments or additions to the Agreement;
- settling disputes arising out of the interpretation or application of the provisions in the Agreement.

The readmission agreement apply to:

22 November, 2010 / 1 March, 2011

Austria
Belgium
United Kingdom
Bulgaria
Germany
Spain
Estonia
Italy
Cyprus
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania



Greece
France
Slovakia
Slovenia
Hungary
Finland
Sweden
Czech Republic
Listen

does not apply to:

Ireland
Denmark

Readmission

The main aspects of the agreement

1. Readmission of own nationals

- persons who don't, or who no longer, fulfill the conditions in force for entry into, presence in, or residence on, the territory of the member state

2. Readmission of third-country nationals and stateless persons

- illegally and directly entered the territory of a Member State after having stayed on, or transited through, the territory of Georgia;
- hold a valid visa or residence permit issued by Georgia.

Readmission

The main aspects of the agreement

3. Means of evidence regarding nationality

- passports of any kind
- identity cards
- other official documents that mention or clearly indicate citizenship.

4. *Prima facie* evidence of nationality

- documents that expired 6 months ago
- driving licenses, birth certificates or photocopies thereof
- statements by witnesses,
- Language tests, Etc.

Readmission

The main aspects of the agreement

5. Readmission procedures and time limits

- The application must be submitted within maximum 6 months
- A readmission application must be replied within 12 calendar days (2 working days under the accelerated procedure)
- Transportation within 90 days

6. Transport and transit costs

7. Joint readmission committee

- monitor the implementation of the Agreement;
- uniform application of the Agreement;
- recommend amendments to the Agreement

Awareness

- Consulates
 - 11 EU member states' embassies have their official web-sites, out of which only 8 have information on visa facilitation procedures posted
 - Only 3 of them have posted full information about visa facilitation procedures on the consular show-boards
- Media sources
 - The main source of information is TV
- Poll Results
 - Low level of Awareness

Conclusion

- Importance
 - direct results
 - visa liberalization prospects and perspectives of deepening the relations with the EU
- Visa Facilitation
 - Procedures, time limits, duration, fees
 - For 13 categories and diplomatic passports
 - the right of appeal and the Justification of the refusal of visa (Visa Code)
 - Does not apply to tourist visas
 - No simplification in the list of additional documents requested
 - Implementation and awareness is a challenge
 - similarity to the earlier practice (for the majority of the same categories)

Conclusion

- Readmission
 - Streamlined procedures
 - Division of the responsibilities
 - Awareness (threat and risk perception)
 - possible impact on the routes of labor migration
 - "Old" and "new" migrants - biometric data
 - The EU's attitude towards the labor migration
 - No direct border with the European Union
 - Readmission agreements with the third countries
 - Cooperation within the framework of Mobility Partnership
 - Wider aspects of socio- economic policy (employment, labor market, etc.)
- **Public advocacy and effective policies for the acceleration of the visa liberalization process**

