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Member of the European Commission

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Brussels, **01. 07. 2019**

Dear Minister Blok,

I am replying to your letter received on 31 May 2019 in which you notify the Commission that the Netherlands is confronted with circumstances set out in Article 8(2) of Regulation 2018/1806 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 (hereinafter “the Regulation”).

The Commission has examined the content of the notification in line with the procedure set out in Article 8(5) of the Regulation. As set out in the Regulation, the Commission shall respond within one month of receiving the notification from a Member State.

The mechanism established in the Regulation responds to the need to proceed to a temporary suspension of the exemption from the visa requirement for a third country listed in Annex II of the Regulation. Its purpose is to respond to an emergency situation where an urgent response is needed in order to solve the difficulties faced by one or more Member States and by taking into account the overall impact of the emergency situation on the EU as a whole. The mechanism neither replaces the regular reporting on the continuous fulfilment of visa liberalisation benchmarks, nor is it meant to provide a general opportunity to assess the appropriateness of a visa exemption granted as a result of the successful conclusion of a visa liberalisation dialogue.

The Commission has examined whether the circumstances that could trigger the suspension mechanism exist, the number of Member States affected by circumstances mentioned in your notification, the overall impact on those circumstances on the migratory situation of the EU, as well as the cooperation of the Albanian authorities. Finally, the overall question of public policy and internal security was also assessed.

Minister Stef Blok
Minister of Foreign Affairs
Rijnstraat 8, The Hague
The Netherlands

The Regulation establishes as a reference period for the notification a two-month period compared with the same period in the preceding year, or compared with the last two months prior to the implementation of the visa exemption. Considering that the notification received from the Netherlands generally refers to yearly data and does not specify which two-month period it used as a reference, the Commission has assessed, where possible, the most relevant two-month period for the purpose of the Regulation, i.e. the latest two-month period for which data are available (March-April 2019) as compared to the same period in the previous year.

In carrying out its examination, the Commission has also consulted the available data from Eurostat and taken into account reports prepared by the European Border and Coast Guard Agency, Europol, the European Asylum Support Office, and eu-LISA, as well as the Commission's own reports, namely the First and the Second Report under the Visa Suspension Mechanism and the 2019 Albania enlargement report.

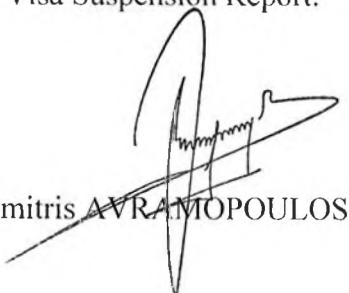
Based on the examination of the notification, the available information and the relevant data of the latest two-month period for which data are available, the Commission considers that the circumstances to trigger the visa suspension mechanism set out in Article 8(2) of the Regulation are not met. Results of our examination are annexed to this letter.

At the same time, visa liberalisation benchmarks need to be continuously fulfilled. In recent years, operational and political cooperation between Albania, the EU and its Member States to jointly address migratory and security concerns has substantially increased. It is important to ensure that Albania maintains this level of cooperation. Albania should in particular continue and intensify efforts to tackle the issue of unfounded asylum applications and to prevent and fight organised crime. EU agencies will continue to assist in this regard.

Visa liberalisation has been a powerful tool to advance transformative reforms, including in the area of justice and security and to facilitate people-to-people contacts and strengthen ties between the EU and Albanian citizens. Albania is a candidate country with a clear EU perspective. The ability of the EU to drive the necessary reforms is linked to its ability to assess progress and address potential difficulties fairly and objectively.

In this vein, the Commission will continue to closely monitor the fulfilment of the visa liberalisation benchmarks, including through the Third Visa Suspension Report.

Yours sincerely,



Dimitris AVRAMOPOULOS

Enclosure:

- Results of the examination of the notification by the Netherlands concerning Albania pursuant to article 8(2) of Regulation (EU) 2018/1806

C.c.:

- Mr Moraes Claude (EP) Chairman of the LIBE committee
- Mr Pekka Haavisto, Minister of Foreign Affairs - Finnish Presidency of the Council of the EU