

MONITORING REPORT

**Agreement between the European Union and the Republic of
Armenia on the Facilitation of the Issuance of Visas**

(6th monitoring)



Yerevan 2019



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Introduction

Trends in EU–Armenia Relations regarding Facilitation of the Issuance of Visas and Readmission

Starting from 2014, for the sixth consecutive year now, the Analytical Centre on Globalization and Regional Cooperation (ACGRC) with support from Open Society Foundations–Armenia is carrying out a study on facilitation of the issuance of Schengen visas in Armenia and on the activities of authorities related thereto. Such monitoring and comprehensive analysis became particularly important after the entry into force in January 2014 of the Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas and the Agreement on the Readmission of Persons Residing without Authorisation between the EU and Armenia.

People to people contacts are one of the four platforms of cooperation under the Eastern Partnership Program, which for Armenian citizens to enter the EU area presupposes obtaining an entry visa.

Despite Armenia’s accession to the Eurasian Economic Union, the process of EU visa facilitation for Armenian citizens continues. Apparently, all the prerequisites are now in place for taking the next step and entering a Visa Dialogue, and in case of its successful implementation, moving to a visa-free regime for short stays. It is extremely important, because visas are a key obstacle to cooperation and people-to-people contacts, free travel, and study.

On 17 March 2020, all the participants to the Schengen Agreements approved the plan proposed by the EC on closing the external borders for at least 30 days¹. On 8 April, the EC recommended extending the travel ban within the Schengen Zone up to 15 May.

This is the most radical measure taken by EU Member States to contain COVID-19 from spreading further. Hopefully, the temporary suspension of the Schengen Agreement due to the COVID-19 threat in Europe will not affect the EU’s plans of easing the visas for Armenian citizens. This measure will apparently be temporary, and after the COVID-19 pandemic is eliminated, the EU will fully reinstate the functioning of the Schengen Zone.

Negotiations on a new comprehensive agreement were officially launched on 7 December 2015 in Brussels.² By January 2017, eight rounds of negotiations on

¹ <https://www.aa.com.tr/en/europe/brussels-wants-to-extend-eu-travel-ban-amid-virus/1797626>

² The launch of negotiations on a framework agreement with Armenia (13 October 2015); http://eeas.europa.eu/delegations/armenia/press_corner/all_news/news/2015/2015_10_13_hy.htm

the Armenia–EU framework agreement had taken place,³ and the logical conclusion of this process was 24 November 2017, when Armenia’s then Foreign Affairs Minister and the EU High Representative for Foreign Affairs and Security Policy signed the Armenia–EU Comprehensive and Enhanced Partnership Agreement (CEPA), which became one of the main achievements of the Summit. To enter into force, CEPA needs to be ratified by Armenia and all 28 Member States of the EU⁴.

On 11 April 2018, the National Assembly of the Republic of Armenia voted unanimously to ratify the CEPA between the Republic of Armenia and the European Union.⁵ The debate highlighted the importance of establishing the parliamentary oversight mechanism under the Agreement – the Parliamentary Partnership Committee – which will be comprised of members of the National Assembly of Armenia and the European Parliament. Special attention was drawn to one of the innovations of the Agreement – the creation of Civil Society Platform, which will consist of civil society representatives from Armenia and the EU and will function on the basis of transparency, inclusiveness and rotation principles.

In a meeting with the Armenian Foreign Affairs Ministry in June 2018, the EU High Representative for Foreign Affairs and Security Policy commended the visa facilitation and readmission process with Armenia and noted that, once the visa facilitation and readmission implementation has been assessed, next steps will be considered. Such technical preconditions will subsequently lead to the launch of a visa liberalisation dialogue.⁶

By Decree 906–N dated 2 July 2018, the Prime Minister created an inter-agency commission to coordinate the activities ensuring implementation of the CEPA and the Armenia–EU Partnership Priorities document.

On 27 November 2018, the Armenia–EU Partnership Committee contemplated under the CEPA held its first session. During the session, the Partnership Committee discussed the draft Roadmap prepared by the Government of Armenia. The European side expressed satisfaction with draft Roadmap as a good starting point for implementing the CEPA. During the meeting, the EU reiterated its support for the Armenian government’s reform process, and highlighted that the

3 Foreign Affairs Minister Nalbandyan’s statement and answers to the questions of journalists at the 2016 annual diplomatic end year press conference (31 January 2017); http://mfa.am/hy/press-conference/item/2017/01/31/min_dipyear_2016/

4 The Armenia–European Union Comprehensive and Enhanced Partnership Agreement has been signed (24.11.2017). http://www.mfa.am/hy/press-releases/item/2017/11/24/cepa_signing/

5 National Assembly of Armenia ratified Armenia–EU new framework agreement (11.04.2018). <https://www.mfa.am/hy/press-releases/2018/04/11/dfm-na-cepa/8126>

6 Visa facilitation and readmission process with Armenia implemented successfully, says Mogherini (22.06.2018). <https://armenpress.am/arm/news/938543.html>

implementation of the CEPA would be a key tool for reform and modernization of the country, help attract EU investment, stimulate exchanges with the EU and provide concrete benefits both for the EU and Armenian citizens. The EU and Armenia agreed to continue promoting the mobility of citizens through the Visa-facilitation and the Readmission Agreements and consider in due course the opening of a Visa-liberalisation Dialogue, provided that conditions for well-managed and secure mobility are in place. The Partnership Committee also discussed issues related to rule of law, migration, economic development and education, as well as the Eastern Partnership and regional issues.⁷

Subsequently, on 19 December 2018, Nikol Pashinyan in a session of the inter-agency commission to coordinate the activities ensuring implementation of the CEPA and the Armenia-EU Partnership Priorities, where he stated in his speech that the signing of the CEPA was an important step in further deepening Armenia-EU relations and supporting the continuity of reforms in Armenia. Presently, the commission's main task is to coordinate the Roadmap drafting process. Pashinyan said: "... We are embarking upon a phase of developing and implementing more intensive and extensive programs."⁸

In June 2019, the Armenian Government adopted the Roadmap, which was presented at the 12 November event co-hosted by the EU Delegation in Armenia and the Armenian Government, where the sides discussed the implementation of the CEPA Roadmap⁹.

The CEPA, signed on 24 November 2017, partially entered into force on 1 June 2018, and around 80 percent of its provisions are currently in effect. The remaining provisions will enter into force once the Parliaments of EU Member States complete the ratification of the Agreement. Presently, only five of the 27 EU Member States have not completed the ratification procedures for this Agreement. They are Italy, Austria, Greece, Portugal, and Spain. Hopefully, the COVID-19 situation will not indefinitely postpone the ratification of the Agreement. However, we are aware of the magnitude of the challenge currently faced by European countries and the world community.

CEPA will enable to enhance the relations between the Parties under the Revised European Neighborhood Policy and the Eastern Partnership, for the EU and Armenia to elevate their relationship to a qualitatively new and higher level. CEPA specifically addresses the topics covered by this study, namely mobility,

7 First session of the EU-Armenia Partnership Committee (27.11.2018). <https://www.mfa.am/hy/press-releases/2018/11/27/armenia-eu/8778>

8 "We are embarking upon a phase of developing and implementing more intensive and extensive programs," Pashinyan said about the Armenia-EU Agreement (19.12.2018). <https://news.am/arm/news/487062.html>

9 https://www.e-gov.am/u_files/file/decrees/varch/2019/19_666_1.pdf

migration and readmission, personal data protection, and others. Besides, the topics covered by this Study are addressed in greater detail in Article 13 of CEPA (Protection of personal data), Article 14 (Cooperation on migration, asylum and border management), and Article 15 (Movement of Persons and Readmission).¹⁰

It is of particular importance that the CEPA directly provides that “the Parties shall continue to promote the mobility of citizens through the Visa-facilitation Agreement and consider in due course the opening of a visa-liberalisation dialogue provided that conditions for well-managed and secure mobility are in place.”

The monitoring¹¹ of the implementation of the Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas and the Agreement on the Readmission of Persons Residing without Authorisation allows revealing the key omissions, analyzing, and presenting recommendations on ways of addressing them, as well as having an alternative monitoring and impartial assessment of the situation, in addition to the official data, assessments, and viewpoints of the direct parties to the process (consular services of EU Member States, state bodies of the Republic of Armenia, and RA citizens). Hence, this monitoring and the engagement of civil society stakeholders in the processes in this area are very important.

The Analytical Centre on Globalization and Regional Cooperation (ACGRC) has been very active in this field, especially in the last six years: the 2014 to 2018 annual monitoring reports have been prepared and published,¹² presenting important findings and recommendations in a number of key areas. Public statements have been made concerning visas, the operation of visa centers in Armenia, and biometric passports. With the help of international experts, ACGRC has presented the Recommendations on Forming and Implementing the Roadmap to the Symmetrical Visa-free Regime between the EU and Armenia¹³, which has been endorsed by a number of other non-governmental organizations.

In addition, one of the activities intended to promote the launch of the Armenia-EU visa liberalisation dialogue was a visit of representatives and experts of ACGRC and the European Stability Initiative think tank to the EU structures in Brussels (November 2019).

10 http://www.mfa.am/u_files/file/CEPA.pdf

11 The monitoring function is aimed at revealing, as swiftly as possible, actual and potential achievements and shortcomings, and helping to address and overcome them (<http://www.am-partners.am/service/monitoring-and-evaluation.html>).

12 Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas (reports of the first and second monitoring rounds): <http://acgrc.am/bo-keng.pdf>; <http://acgrc.am/ENG%20Version.pdf>

13 Recommendations on Forming and Implementing the Road Map to the Symmetrical Visa-Free Regime between the EU and Armenia <http://www.osf.am/2015/09/recommendations-on-forming-and-implementing-the-road-map-to-the-symmetrical-visa-free-regime-between-the-eu-and-armenia/>

The primary aim of the visit was to promote information on the reforms progress in the fields of EU–Armenia Visa Facilitation and Readmission Agreements, to build contacts with key officers of European structures dealing with Armenia and the Eastern Partnership, to promote progress on Readmission related issues and to inform European community on Justice Sector Reform in Armenia. In the framework of the visit, the delegation met with the representatives of the following institutions: DG for Migration and Home Affairs, DG for Justice and Consumers, DG for Neighbourhood and Enlargement Negotiations, European External Action Service, European Parliament, German, French and Netherlands Permanent Representations to the EU, Belgian Ministry of Interior, Office of the Belgian Commissioner–General for Refugees and Stateless Persons and Leading Brussels–based NGOs/Foundations. The meetings were highly productive and demonstrated civil society’s support and interest in speeding up this process.

This report is dedicated to the 2019 monitoring of the implementation of the Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas and the Agreement on the Readmission of Persons Residing without Authorisation. The study was carried out by experts of the Analytical Centre on Globalization and Regional Cooperation (ACGRC) with the support of Open Society Foundations–Armenia. We are grateful to ACGRC Board Chairman Stepan Grigoryan and expert Nikolay Israyelyan for their support to drafting the recommendations. We are particularly grateful to Haykanush Chobanyan, Head of the Foreign Relations Unit in the Migration Service under the Ministry of Territorial Administration and Development for her valuable advice during the elaboration of the third chapter.

The successful implementation of the Agreements with the EU and continued progress towards visa liberalization require persistent action by all the stakeholders, including the Armenian authorities, the public at large, especially active groups, and the European institutions. ACGRC intends to continue working actively and to monitor the visa liberalization process in the future, as well, presenting recommendations to the stakeholders, similar to what is done in this Monitoring Report.

Methodology and Scope of the Monitoring *(Methodology of the 2019 Monitoring)*

This Monitoring focuses on the implementation of the Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas and the Agreement on the Readmission of Persons Residing

without Authorisation. The Project included a comprehensive overview of the process of obtaining short-term EU entry visas (only visas with a validity of up to 90 days)¹⁴, irregular migration, the readmission of persons residing without authorisation, reintegration, passports, personal data, and other aspects.

The following methods were used during this study:

1. Review of the relevant Armenian and European legislation

The domestic and international legislation on this sector was reviewed. First of all, the visa facilitation agreement and the agreement on the readmission of persons residing without authorisation between the European Union and the Republic of Armenia were reviewed.¹⁵ The EU Visa Code¹⁶ and the amendments to the EU Visa Code (effective from February 2020)¹⁷, the Schengen Agreements,¹⁸ the Dublin Convention,¹⁹ and other international legal instruments were reviewed. As to domestic documents, the Republic of Armenia Law on the Passport of a Citizen of the Republic of Armenia, the Republic of Armenia Law on Personal Data Protection, a number of other laws and regulations, decrees and programs of the Republic of Armenia Government on migration and readmission, annual reports of the Ministry of Foreign Affairs of the Republic of Armenia, and other texts were reviewed. The study also looked into the migration policy documents of Armenia that concern return, readmission, and reintegration, the 2019 Program of the Armenian Government, as well as the Comprehensive and Enhanced Partnership Agreement (CEPA) between Armenia and the EU and the CEPA Roadmap adopted by the Armenian Government in June 2019 (https://www.e-gov.am/u_files/file/decrees/varch/2019/19_666_1.pdf), as well as other documents. The international experience was studied, namely the policies of Georgia and Moldova with respect to the return of their citizens. The existing

14 Schengen Visa Types <http://www.schengenvisainfo.com/schengen-visa-types/>

15 Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas and the Agreement on the Readmission of Persons Residing without Authorisation; http://www.mfa.am/u_files/file/EU_AM_VFA_am.pdf; http://mfa.am/u_files/file/Agreement_EU_Readmission_Arm.pdf

16 Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:243:0001:0058:EN:PDF>

17 (<https://www.schengenvisainfo.com/news/new-schengen-visa-rules-start-applying-on-sunday-feb-2/><https://ru-ru.facebook.com/ACGRC/>)

18 Schengen Agreements http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/borders-and-visas/schengen-agreements/index_en.htm

19 Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities – Dublin Convention(19.08.1997) [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:41997A0819\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:41997A0819(01)&from=EN)

studies on the rights of returnees and their reintegration issues were reviewed. Statistical data on readmission and reintegration was collected.

2. Review of work and the websites of EU consulates, the visa centers operating in Armenia, and the relevant state authorities

The study reviewed the official websites of the consular posts of the diplomatic missions of EU Member States in Armenia, the visa centers operating in Armenia, the Ministry of Foreign Affairs of the Republic of Armenia, Passports and Visas Department of the Police of the Republic of Armenia, and the State Migration Service of the Ministry of Territorial Administration and Development of the Republic of Armenia.

3. Inquiries

After reviewing the legislation and the rules that are in place, questions were prepared during the first stage of implementation of the program, which were intended for the state authorities in charge of the sector and the consular posts of the diplomatic missions of EU Member States, as well as the visa centers operating in Armenia. Expert interviews were conducted, and questions were prepared for the state bodies responsible for the sector, namely the Migration Service under the Ministry of Territorial Administration and Development and the “one-stop-shop” reintegration service. The questions were prepared in view of the importance of visas and migration for the public at large, especially the issues and cases encountered in everyday life and especially in the mass media, as well as the issues that came up during the 2014–2018 monitoring exercises.²⁰ Individual meetings were held with a number of national and international experts (Germany, Belgium, France, Poland, Lithuania, Ukraine, Georgia, and Moldova). Inquiries were also carried out among applicants that had been refused a Schengen visa, as well as applicants that had appeals, in order to understand the overall situation.

4. Visits to the Consular Services

In the course of this project, a number of meetings were held with the respective diplomatic and consular staff in order to have a discussion and to understand the conditions, the visa application admission procedure, the problems encountered, and the steps taken for solving them.

²⁰ Monitoring Report: Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas (2014–2017) <http://arm.acgrc.am/bookarm.pdf>

5. Monitoring of the online media

As the Internet is a primary source of information, online media were monitored with a view to comparing and tracking how various events are reported in the online media with respect to the subject matter of this study. The monitoring focused on the media reporting of visas, migration, return, readmission, and a number of other topics in the course of 2019.

6. Statistical desk research

The statistics of Schengen visas were studied, alongside the experience of some other Eastern Partners (Ukraine, Moldova, and Georgia), which have already received visa-free regime (Moldova, Georgia, and Ukraine).²¹

Comparative analysis of the 2012–2019 statistical data was carried out, which covered the total number of visas issued by consular services issuing a Schengen visa in Armenia, broken down by countries, types, refusals, and the like. Statistics on readmission, asylum, and reintegration were collected, as well.

7. Inquiries among Refused Applicants

In studies carried out by ACGRC with respect to visas in recent years, a number of applicants have complained about the work of Schengen area consulates and visa centers in Armenia.

Some applicants complained about decisions, expressing disagreement with the refusal grounds cited by the consulates; the application procedure, including difficulties of scheduling an appointment; long queues in the consulates and visa centers for handing in applications and for interviews; the absence of waiting halls or the poor conditions therein; the bad treatment by the support staff and so on. This Study has concluded that those matters require closer attention, ensuring the involvement of the applicants as important stakeholders, because their dissatisfaction is quite often due to the lack of knowledge of rules and laws or to simple bias.

The consular sections of some embassies in Armenia sometimes refuse issuing a visa without a proper justification. Citizens have complained about a number of such cases, including in the social media. The refusal grounds are prescribed in Article 32 of the Visa Code and the special refusal notice form (Annex VI)²². To complete the study of refusals, we made inquiries with some of the refused citizens, as well as citizens that were dissatisfied with the work of the consulates and visa centers.

²¹ This provision concerns only citizens who hold a biometric passport.

²² Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 estab-

Besides, we received 128 complaints during 2019 related to visa refusals or various problems encountered in the process of receiving a visa. A few are worth highlighting. In one case, the visa center refused to accept the documents of an NGO representative traveling to a forum for a free-of-charge visa. In another, the visa center did not accept the notarized documents of the child and demanded the presence of both parents when applying for the visa. However, the main problems faced by Armenian citizens in 2019 (which triggered the majority of complaints we received) were two-fold. The first problem was that citizens could not register by e-mail to visit consular sections of EU Member States in Armenia: the majority of the consulates have made a transition to the mandatory electronic queuing system. The introduction of the latter was among the first steps to manage applicant queues and to address problems related to long waiting times. At the time, we welcomed this move. However, in practice, Armenian citizens have been unable to register to hand in their documents at consulates, because all the time slots have filled up very quickly. We have received many complaints on this, and the problem has been actively discussed in the Armenian press and social media. It is unclear why exactly the electronic systems for citizen registration have encountered problems, but one explanation was that tour operators have been actively booking slots (in excess) for their clients wishing to travel to Europe. Another factor is that the number of Armenian citizens wishing to visit Europe has grown sharply in recent years, and the technical capabilities of the consular sections could not cope with the demand.

The second issue is related to the issuance of multiple-entry schengen visas to Armenian citizens. The EU-Armenia Agreement on the Facilitation of the Issuance of Visas allows Armenian citizens who have a positive track record of visiting EU states to receive a multiple-entry schengen visa for a term of one to five years. In 2019, Armenian citizens faced the reluctance of a number of consulates of EU Member States to issue multiple-entry schengen visas to them. It became absurd at times: individuals who had several multiple-entry schengen visas and who had traveled to Europe dozens of times and not breached the rules of stay were issued visas for just a few days to participate in a specific event or were refused altogether. This led to serious dissatisfaction in Armenian society, as some of the refused applicants were famous politicians and public figures, athletes, and artists. We hope that the amendments to the EU Visa Code (effective from February 2020), which emphasize the importance of easing the issuance of multiple-entry schengen visas, will mitigate this situation.

Some of the persons that complained were unable to clearly present the

lishing a Community Code on Visas (Visa Code) (15.09.2009) <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32009R0810>

reasons for the complaint and refused to answer questions or to present any documents. This in turn indicates that some applicants had dishonest intentions and were hiding certain circumstances. Wrong or incomplete applications are a sign of applicants not knowing the laws or the visa requirements. Raising awareness is a key objective of this project.

To make the monitoring of these refusals continuous, in view of their importance, the ACGRC website contains an announcement inviting citizens refused by the consular services of EU Member States in Armenia to send refusal information by e-mail²³: this, however, does not imply support in obtaining a visa. Rather, it will help to analyze the refusal cases with a view to preparing recommendations for the consular services of EU Member States in Armenia and the EU institutions in the future.

²³ E-mail: acgryerevanoffice@gmail.com

Chapter One.

EU–Armenia Relations in the Framework of the Visa Facilitation and Liberalization

The visa facilitation is one of the main frameworks of cooperation between the EU and Armenia. The process was launched as part of the Eastern Partnership program, starting from Mobility Partnership in 2011 and reaching to EU–Armenia Visa Facilitation and Readmission Agreements in 2014. If Armenia and the EU launch the visa dialogue, it will pave a way to visa-free regime for Armenian citizens. The Visa liberalization is highlighted in the main EU–Armenia Comprehensive and Enhanced Partnership Agreement (CEPA), and its importance is also highlighted by the Government of Armenia. At the same time, there are certain issues, especially connected with the risk of increase of irregular migration from Armenia, that slows down the process. Additionally, visa liberalization with the EU requires adoption of the Anti-discrimination Law by the Government of Armenia. Thus, it is expected that Armenia will demonstrate stronger political will for democratic reforms and stronger cooperation in the framework of EU–Armenia Readmission Agreement.

Chapter 1 highlights the main developments related to the people-to-people cooperation between the EU and Armenia. It consists of 4 parts. The first part is about main developments over the EU–Armenia Mobility Partnership and steps undertaken for the final visa liberalization stage. Article 2 provides statistical analysis of issued Schengen visas, as well as refusal rates for the Armenian nationals. It also reflects on the lessons learnt from the case of Georgia – a country benefiting from visa-free regime. Article 3 is about implementation of Visa Facilitation Agreement by Armenia, whereas, Article 4 includes conclusions and recommendations.

Article 1: Trends in EU–Armenia Relations in the Framework of the Visa Facilitation

EU–Armenia Mobility Partnership and Start of Visa Facilitation Process

People to people contacts are one of the four platforms of cooperation under the EU's Eastern Partnership Program, which for Armenian citizens to enter the EU area presupposes obtaining an entry visa.

One of the first steps for further cooperation in the mobility sector was the

Mobility Partnership between the EU and Armenia. The Joint Declaration on a Mobility Partnership between the European Union and Armenia signed in Luxembourg on 27 October 2011 became a key step towards enhanced cooperation in the area of mobility.²⁴In this document, the parties confirmed their commitment to improving facilitation of movement of persons between Armenia and the European Union, whilst working to ensure better management of migration flows, including preventing and reducing irregular immigration.

According to the EU Partnership Implementation Report on Armenia 2019, the Mobility Partnership has enhanced approximation of migration and border management to EU standards, increased security and facilitated trade in Armenia.²⁵ Various projects have been undertaken to improve the border management in Armenia. From 2012–2016, the EU has implemented a project “Strengthening Armenia’s Migration Management Capacities, with Special Focus on Reintegration Activities in the Framework of the EU–Armenia Mobility Partnership” striving to increase the capacities of the competent authorities and civil society organizations in Armenia²⁶.

Following the Mobility Partnership Declaration, in February 2012, talks on a Visa Facilitation and Readmission Agreement with the EU were launched in Yerevan in February 2012. The Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas was signed on 17 December 2012, and the Readmission Agreement on 19 April 2013.²⁷

The Visa liberalization process itself was launched in the framework of the Eastern Partnership program that envisaged wider cooperation, including signing an Association Agreement (AA) together with the Deep and Comprehensive Free Trade Agreement (DCFTA). The AA was a bilateral agreement between the EU and Eastern Partner countries (Armenia, Georgia, Azerbaijan, Moldova, Ukraine and Belarus), that would serve as the main legal basis of cooperation. The Agreement envisaged political dialogue in the sphere of foreign and security affairs, justice and domestic affairs, economic and sectoral cooperation, while the DCFTA offered deeper economic cooperation and harmonization of legislation with the EU’s *acquis communautaire*. The two documents would further assist Armenia

24 Joint Declaration on a Mobility Partnership between the European Union and Armenia. http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/125698.pdf

25 Partnership Implementation Report on Armenia 2019: https://eeas.europa.eu/sites/eeas/files/partnership_implementation_report_armenia.pdf

26 https://eeas.europa.eu/headquarters/headquarters-homepage/11239/strengthening-armenias-migration-management-capacities-with-special-focus-on-reintegration-activities-in-the-framework-of-the-eu-armenia-mobility-partnership_sr

27 Mobility Partnerships, Visa Facilitation and Readmission Agreements: https://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/eastern-partnership/mobility-partnerships-visa-facilitation-and-readmission-agreements_en

in establishing rule of law, good governance, as well as stronger political and economic cooperation with the EU.

However, on 3 September 2013, and despite active negotiations with the EU and undertaken efforts, Armenia discontinued the Association Agreement talks with the EU and started a process of accession to the Russia-led Eurasian Customs Union and the Eurasian Economic Union (EEU). The refusal to sign the Association Agreement and the DCFTA happened right on the days when Armenian President Serzh Sargsyan made an official visit to Moscow. On 3 September 2013, during his official visit to Moscow, Sargsyan announced the decision of the Republic of Armenia to join the Russia-led Customs Union. Such a sudden refusal of signing the Association Agreement with the EU showed Armenia's dependence on Russia. As of January 2, 2015, Armenia joined the Eurasian Economic Union and became a full member of the EEU next to Belarus, Kazakhstan, and Russia.²⁸

It is noteworthy that although Armenia refused signing the Association Agreement in 2013, later on, a new Comprehensive and Enhanced Partnership Agreement (CEPA) was designed with the EU. The negotiations over the CEPA were launched on 7 December 2015²⁹, and the agreement was signed on 21 March 2017. This time Armenian government showed its commitment to the new Agreement and on 11 April 2018 the National Assembly of the Armenia voted unanimously to ratify the Comprehensive and Enhanced Partnership Agreement between the Republic of Armenia and the European Union.³⁰

CEPA includes a strong commitment to democratic reforms, such as developing effectiveness of democratic institutions, respect for human rights, efficiency of judiciary, as well as fighting corruption. It also includes provisions on economic cooperation, climate action and agricultural development.

Along with strong commitment of cooperation in political sector, CEPA also gives an important place to mobility and visa-liberalization process. The cooperation in this sector is included under Title 3 – Justice, Freedom and Security. Article 15 of the Agreement is devoted to the “Movement of persons and re-admission” and includes the commitment to promote the mobility of citizens through the Visa Facilitation Agreement and cooperation in fighting irregular migration by implementation of the Readmission Agreement. It also considers future opening of a visa-liberalization dialogue with Armenia, provided the well

28 Armenia acceded to the Eurasian Economic Union:

<http://www.eurasiancommission.org/hy/nae/news/Pages/02-01-2015-1.aspx>

29 The launch of negotiations on a framework agreement with Armenia(13 October 2015); http://eeas.europa.eu/delegations/armenia/press_corner/all_news/news/2015/2015_10_13_hy.htm

30 National Assembly of Armenia ratified Armenia-EU new framework agreement:

<https://www.mfa.am/hy/press-releases/2018/04/11/dfm-na-cepa/8126>

managed mobility are in place.³¹ The document also supposes cooperation in the field of fighting against organized crime and terrorism.

Stalemate of Launching Visa-Liberalization Dialogue with Armenia

After the Armenian Velvet Revolution of 2018, in the beginning of his term in office On May 9, 2018, Armenia's Prime Minister Nikol Pashinyan, stated: "We assign great importance to the Armenia-EU CEPA. The next issue on which we hope to launch negotiations as soon as possible is the negotiation for eliminating the visa requirements for Armenian citizens to enter into the European Union. I hope that we will achieve concrete results in this area."³²

The process and importance of visa liberalization has been discussed by various Armenian and EU officials. For example, on April 30, 2019, the Standing Committee on European Integration of the Parliament of Armenia hosted the Team Leader of Yerevan Office of the International Centre for Migration Policy Development. During the meeting it was noted that Armenia made a significant progress in the investment of biometrical passports, the improvement of the border control and the modernisation of the northern border checkpoint of the country.³³

At the same time, there are also issues with irregular migration and the risk of higher numbers of asylum-seeking from Armenian side that is one of the main reasons for launching the visa-liberalization dialogue. On May 15, 2019, during the visit to Brussels, in his interview, the Minister of Foreign Affairs Zohrab Mnatsakanyan said that the visa-liberalization is a priority for Armenia. At the same time, stating that the EU has noted about the risks of abusing the liberalized regime, Mnatsakanyan noted that Armenia's relevant departments on migration are in contact with the relevant European experts to evaluate to what extent Armenia's capabilities are developed, to what extent they meet the standards, so that Armenia can start the visa liberalization dialogue.³⁴

Additionally, on June 13, 2019, following the Partnership Council meeting between the EU and Armenia, a joint statement was issued that stated that the EU and Armenia will continue promoting the mobility of citizens through the Visa-facilitation and the Readmission Agreements and "consider in due

31 EU-Armenia Comprehensive and Enhanced Partnership Agreement: https://eeas.europa.eu/sites/eeas/files/eu-armenia_comprehensive_and_enhanced_partnership_agreement_cepa.pdf

32 "It would be interesting to see how Armenia's new Government addresses this issue" (12.05.18). <https://168.am/2018/05/12/949889.html>

33 Visa-Liberalisation for Citizens of Armenia with EU Discussed: http://www.parliament.am/news.php?cat_id=2&NewsID=11489&year=2019&month=04&day=30&lang=eng

34 News.am Armenia's Mnatsakanyan: Visa Liberalization with EU is Very Fundamental Matter to Us, 15.05.2019: <https://news.am/eng/news/512683.html>

course the opening of a Visa-liberalisation Dialogue, provided that conditions for well-managed and secure mobility are in place”.³⁵ But despite the reiteration of the importance of the visa-liberalization process, it seems that the EU awaits stronger democratic commitments in Armenia, that would decrease irregular migration flow from Armenia. As a result of reforms, Armenia should prove the ability to modernize the country and to create solid foundation based on democracy, human rights, and the rule of law, approximating the governance structure to the standards of the European Union.

It is important to note about the Implementation Report issued on May 20, 2019 by the EU, that notes about the positive steps by Armenia, as well as the fields that require improvement. The Implementation Report acknowledged the implementation of Visa Facilitation and Readmission Agreements, as well as its desire to launch the EU-Armenia visa liberalization process. At the same time, the Report notes about the need of improvement of the return rate. The Report has also noted about the satisfactory implementation of Visa Facilitation Agreement and about increase of issuance of multiple entry visas. The cases of Refusal were mostly connected with the insufficient documentation about the reasons of travel by applicants³⁶.

Our monitoring has shown (for details, see the Methodology and Scope of the Monitoring) that, despite the higher rate of issuing multiple-entry schengen visas, there are still problems in this area. Many Armenian citizens (who have a positive track record of visiting EU states) were refused a multiple-entry schengen visa in the course of 2019. Moreover, in a number of consulates, citizens were not informed about their right to claim a multiple-entry schengen visa. Another problem that emerged in 2019 was related to the inability of a large number of citizens to sign up by e-mail to visit the consular sections of EU Member States in Armenia. Although they were formally not refused a visa, this situation can be viewed as a form of refusal, which is not included in the official statistics.

Along with the need for enhancing cooperation in the framework of the Readmission Agreement, Armenia also needs to adopt Anti-Discrimination Law and the Istanbul Convention. Both legislative documents are requirements for improving democratic trends in Armenia, and for gaining the visa-free regime with the EU.

35 Joint Press Statement <https://www.consilium.europa.eu/en/press/press-releases/2019/06/13/joint-press-statement-following-the-second-partnership-council-meeting-between-the-eu-and-armenia/>

36 Partnership Implementation Report of 2019 on Armenia: https://eeas.europa.eu/sites/eeas/files/partnership_implementation_report_armenia.pdf

Article 2: Schengen Visa Applications in Armenia: Explaining Migration Flows

EU–Armenia Visa Facilitation Agreement

The EU–Armenia Visa Facilitation Agreement has provided important benefits in relations to visa application process, visa fees, as well as required documentation for the citizens of Armenia. According to the Article 6 of the Agreement, all Armenian citizens benefits from the lower visa fee of 35 Euro and as stated in the Article 7 the decision to issue a visa is taken within the 10–day procedure (in certain cases, it can be prolonged to 30 days). Additionally, many categories of people, from businesspeople, journalists, civil society representatives to relatives of Armenians living in the EU, benefit from standardized and lighter document requirements (see Article 4). Furthermore, a significant number of people, from official delegations, academics, civil society representatives, students, participants in sport activities, pensioners and many others are exempted of paying visa fees (Article 6)³⁷.

It should be noted that along with the mentioned benefits of faster visa issuance procedure, visa fee reductions and fee waivers, the Visa–Facilitation Agreement has also provided significant advantages in terms of the visa duration. According to the Article 5, paragraph 2, diplomatic missions and consular posts of the Member States shall issue multiple–entry visas with the term of validity of one year³⁸ to the categories of persons participating in scientific and cultural events, students, journalists, civil society representatives, persons who need to visits regularly for medical reasons, business people, participants in international sports events, provided that during the previous year they have obtained at least one visa and have made use of it in accordance with the laws on entry and stay of the visited State. The categories of people can be issued multiple–entry visas with the term of validity of a minimum of 2 years and a

37 Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas of October 31, 2013: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22013A1031\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22013A1031(01)&from=EN)

38 A single–entry visa contains information on the number of authorized days (e.g. 15 days). As to the multiple–entry visas, the citizen is allowed to stay in the Schengen Area for up to 90 days during a specific 180– day time period. Information about the calculation of eligible visa days in the Schengen Area can be found using the official Schengen Calculator of the European Commission: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/border-crossing/schengen_calculator_en.html. The long–term (over 90 days) visa issuance procedures are not defined by the EU Visa Regulations; rather, they are provided by the national legislation (Regulation (EU) No 265/2010 of the EP and of the Council of 25 March 2010 Amending the Convention Implementing the Schengen Agreement and Regulation (EC) No 562/2006 as regards to movement of persons with long–stay visa, OJ (2010) L 85/1 (31.03.2010) <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L:2010:085:FULL&from=CS>).

maximum of 5 years, provided that during the previous 2 years they have made use of the one year multiple-entry visas in accordance with the laws on entry and stay of the visited State.³⁹ In justified cases of urgency, the consulate may allow applicants to lodge their applications either without appointment, or an appointment shall be given immediately.

For purposes of the Agreement on the Facilitation of the Issuance of Visas, countries may be divided into four categories. 1. Countries that are full participants to the Schengen Agreements (Austria, Belgium, Germany, Denmark, Estonia, Iceland, Spain, Italy, Latvia, Poland, Liechtenstein, Lithuania, Luxembourg, Greece, Hungary, Malta, the Netherlands, Norway, Sweden, Switzerland, the Czech Republic, Portugal, Slovakia, Slovenia, Finland, and France), for which the provisions of the Agreement are binding. 2. Although Iceland, Liechtenstein, Norway, and Switzerland are full participants to the Schengen Agreements, they are neither EU Member States nor parties to the Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas. It is supposed that these countries will sign visa facilitation agreements with Armenia separately with conditions similar to those of the Agreement between the European Union and the Republic of Armenia (see the Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas)⁴⁰. Armenia and Norway have signed such agreement in 2015.⁴¹ A separate Visa Facilitation Agreement between Armenia and Switzerland came into force in 2016.⁴² The Governments of Iceland, Liechtenstein, and Luxembourg and the Government of Armenia still need to conclude bilateral agreements. 3. Countries that are not full Schengen members and with which bilateral agreements need to be concluded too (the United Kingdom of Great Britain and Northern Ireland, Ireland and Denmark). On 14 March 2018 in Copenhagen, Foreign Affairs Ministers of Armenia and Denmark signed the Agreement on the Facilitation of the Issuance of Visas between the Government of the Republic of Armenia and the Government of the Kingdom of Denmark.⁴³ Denmark thus joined the list of

39 Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas of October 31, 2013: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22013A1031\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22013A1031(01)&from=EN)

40 *ibid*

41 ArmenPress. Armenia and Norway to sign Agreement on facilitation of visa issuing procedure. 26 November, 2015: <https://armenpress.am/eng/news/827357/armenia-and-norway-to-sign-agreement-on-facilitation-of-visa-issuing-procedure.html>

42 Bilateral Relations Switzerland-Armenia: <https://www.eda.admin.ch/eda/en/home/representations-and-travel-advice/armenia/switzerland-armenia.html>

43 Foreign Affairs Ministers of Armenia and Denmark sign the Agreement on the Facilitation of the Issuance of Visas (14.03.2018).

<https://armenpress.am/arm/news/926119/hh-ev-daniayi-ag-nakhararnery-storagrel-en-vizaneri-tramadrumy.html>

countries that conclude such an agreement with Armenia despite not being a party to the 2014 Armenia–EU Visa Facilitation Agreement. 4. Countries that are on the way to become full members of the Schengen Agreements, but which may issue only national visas, but the visas for the Schengen Area are valid in their territories (Bulgaria, Croatia, Cyprus, and Romania).

Citizens of Armenia can apply for Schengen visa at the Consulates accredited in Armenia and operating for this purpose. Embassies can also delegate to Visa Centers the right to accept citizens' visa applications. In Armenia, there is currently a Unified Visa Applications Center accepting visa applications for the Schengen countries that. VFS Global was opened in May 2015 with the agreement of the Embassies of Lithuania and Greece in Armenia and accepts visa applications for Lithuania, Latvia, Estonia, Spain, Denmark, Hungary, and Greece⁴⁴. Armenian citizens wishing to receive a short-stay schengen visa can also apply to the Spain Visa Application Centre, which has operated in Yerevan since 1 January 2019 (it is a regional office of the BLS International visa center that processes visa applications for the Consulate General of Spain in Moscow).

From October 2015, the Italian Embassy in Armenia, too, started to cooperate with a visa center, namely the company TLS Contact, which also receives applications for Malta and Finland, as Italy issues visas on behalf of these two countries. From April 2018, applications for a Schengen visa in Yerevan (for Germany, Belgium, the Netherlands, Luxembourg, Austria, and Sweden) will be accepted not by the German Embassy, but a separate service-provider company called VisaMetric, which cooperates with the German Embassy.⁴⁶ From 1 January 2020, Austria delegated the receipt of visa applications to VFS Global in Yerevan.

Visa Centers were created in order to facilitate the visa issuance process, as the number of applications is large. The Visa Center was opened to accommodate larger numbers of applications than the Consulates have the capacity, and also to decrease the queues. At the same time, it should be noted that the Visa Center operates only in the capital of Armenia, in Yerevan. No Visa Center offices operate in the regions of Armenia. While it is quite difficult, due to lack of transportation connection, to reach Yerevan from the major cities, such as Gyumri (North of Armenia), Vanadzor (North-East of the country) or Kapan (South of the country). Additionally, applicants to the Visa Centers often complain about low quality service provided by the Visa Centers, such as technical capacity, communication skills. Visa Centers take an additional fees

44 VFS Global: <http://www.vfsglobal.com/lithuania/armenia/>

45 Visa applications can be submitted for for Latvia, Estonia, Spain, Denmark, Hungary, as the Embassy of Lithuania issuance visa on behalf of these countries in Armenia.

46 VisaMetric: <https://www.visametric.com/Armenia/Germany/hy>

for the service per application which is about 20–22 Euro.

It is important to note that often the citizens of Armenia are not well aware about the Visa Code and also about their rights in the framework of the Visa Facilitation Agreement. Thus, many Armenian citizens do not know about the visa fee waiver opportunities. There are cases when Consulates and Visa Centers violate this right and still the visa fee is taken, despite the fact that the applicant is in the eligible category for visa fee waiver.

Importantly, the Schengen visa issuance procedure under the Visa Code was amended on 2 February 2020. The new procedure will simplify the short-stay visa issuance procedure and prevent as much as possible irregular migration to the EU. The visa issuance timelines have been amended, as well: from now on, Armenian citizens may apply for a visa not three, but six months prior to the planned trip. Moreover, the visa application can be filled online and signed electronically. According to these amendments, an applicant will have to take their documents to the consular section or visa center in person, whenever the applicant's fingerprints need to be collected. The multiple-entry visa issuance process has been simplified, as well: persons with a positive visa history may receive a multiple-entry visa, and the validity term will be gradually increased from one year to five years. A positive visa history implies the absence of any records of illegal entry into EU territory or any breaches. The visa application processing deadline of 15 days has been preserved. However, in certain cases, when it is necessary to examine the documents more closely, the application examination can be extended to 45 days.

The embassies, consulates, and visa centers of all EU Member States will examine visa applications under the new procedure, which includes a 33 percent increase in the visa fee. All applicants that used to pay 60 euros will now have to pay 80 euros for the visa application, and for children of ages 6 to 12, the visa fee will be increased from 35 to 40 euros. These rules will apply to all 105 third party states, citizens of which need a visa to enter the EU. Nothing will change for the citizens of countries that have a visa-free agreement with the EU (such as Moldova, Georgia, and Ukraine). However, Armenia is among the countries that will not be affected by the visa fee increase. To receive an entry visa from embassies of EU Member States, Armenian citizens will continue to pay 35 euros.⁴⁷

⁴⁷ <https://www.schengenvisainfo.com/news/new-schengen-visa-rules-start-applying-on-sunday-feb-2/><https://ru-ru.facebook.com/ACGRC/>

Updates Over Border Management from the EU Side

On 20 November 2017, the EU Council adopted a decision to create a new Entry-Exit System (EES), as well as a new regulation on the Schengen border legislation entry-exit system, which includes more rigorous checks on the Schengen border with a view to enhancing the efforts of improving external border management (more rapidly discovering persons that stayed in the Schengen area longer than authorized.⁴⁸ The changes will introduce a new system for the entry and exit of the visitors to the EU, including for the citizens of Armenia – there will be no more manual stamps in the passports, but each traveller will be electronically registered with biometric data.

This system and the implementation of “smart borders” will record information on the entry, exit, and refusal of third-country citizens crossing the external border of the Schengen area, and will help to reduce the duration of border checks and improve their quality, by mechanically counting the lawful presence of every arriving person. The Member States and the relevant structures of the EU are expected to create the new system and make it fully functional as from 2020.⁴⁹

The EU has three centralized information systems: Schengen Information System (SIS), Visa Information System (VIS) and Eurodac. The VIS is the system that is used to exchange and process visa applications and decisions, also through means of biometric matching, based on fingerprints for identification. Whereas, Eurodac is a biometric database in which Member States are required to enter the fingerprint data of irregular migrants or asylum-seekers to identify where they entered the EU, and thus determine the MS responsible for examining their asylum application. The European Commission has also put forward a revised proposal to establish an Entry/Exist System, based on biometrics that would be interconnected with the VIS and focus on third country nationals.

As mentioned above, one of the main changes would be that the manual stamping of passports at border checks would be replaced by registration in a database, automating most of the data- and information-capturing steps that are currently undertaken by border guards performing border checks on non-EU nationals. The self-service systems and e-gates will be introduced, and third country national travellers would have their data verified, their picture or fingerprint taken and a set of questions asked. Visa-required travellers would also be able to see the maximum length of their authorised stay. By the time the

48 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017R2226>

49 Entry-exit system: final adoption by the Council (20.11.2017). <http://www.consilium.europa.eu/en/press/press-releases/2017/11/20/entry-exit-system-final-adoption-by-the-council/>; <https://www.facebook.com/eucouncil/videos/1522187014497615/>

traveller is guided towards a border control lane, all this information would have reached the border guard, who may ask additional questions before granting the passenger access to the Schengen area.⁵⁰

Such changes envisage well systematized check of the visitors to the EU. At the same time it provides certain benefits both to the EU and non-EU countries. The automation of the preparatory steps is expected to reduce the workload of border guards and reduce the long queues. It also allows the travellers to see the length of their authorised stay.

All the consulates of the Schengen States in Armenia joined the Visa Information System (“VIS”) on 23 June 2015. VIS was created for simplifying the visa processes and improving the security of the visa application process. It is a unified and centralized biometric database of persons that have applied for a visa at least once. Schengen visa applicants are required to provide their biometric data (fingerprints and digital photo). The biometric data and the information contained in the Schengen visa application is registered in the centralized VIS database. Biometric technology helps to protect the applicants against theft of private data.⁵¹

Schengen Visa Applications in Armenia: Statistical Data and Analysis

Schengen consulates received a total of over 16 million visa applications in 2018⁵². Since 2012 the number of Schengen visa applications by Armenian citizens has increased gradually.

50 Smart Borders: EU Entry/Exit System: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/586614/EPRS_BRI\(2016\)586614_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/586614/EPRS_BRI(2016)586614_EN.pdf)

51 Fingerprints and digital photo for a Schengen visa <http://eunewsletter.am/hy/%D5%B4%D5%A1%D5%BF%D5%B6%D5%A1%D5%B0%D5%A5%D5%BF%D6%84%D5%A5%D6%80-%D6%87-%D5%A9%D5%BE%D5%A1%D5%B5%D5%AB%D5%B6-%D5%AC%D5%B8%D6%82%D5%BD%D5%A1%D5%B6%D5%AF%D5%A1%D6%80%D5%9D-%D5%B7%D5%A5%D5%B6%D5%A3/>

52 Statistics Reveal Schengen consulates received Over 16 Million Applications in 2018: <https://www.schengenvisainfo.com/news/statistics-reveal-schengen-consulates-received-over-16-million-applications-in-2018/>

Figure 1: Uniform Visas Applied for by Consulates in Armenia for time Period from 2012–2018

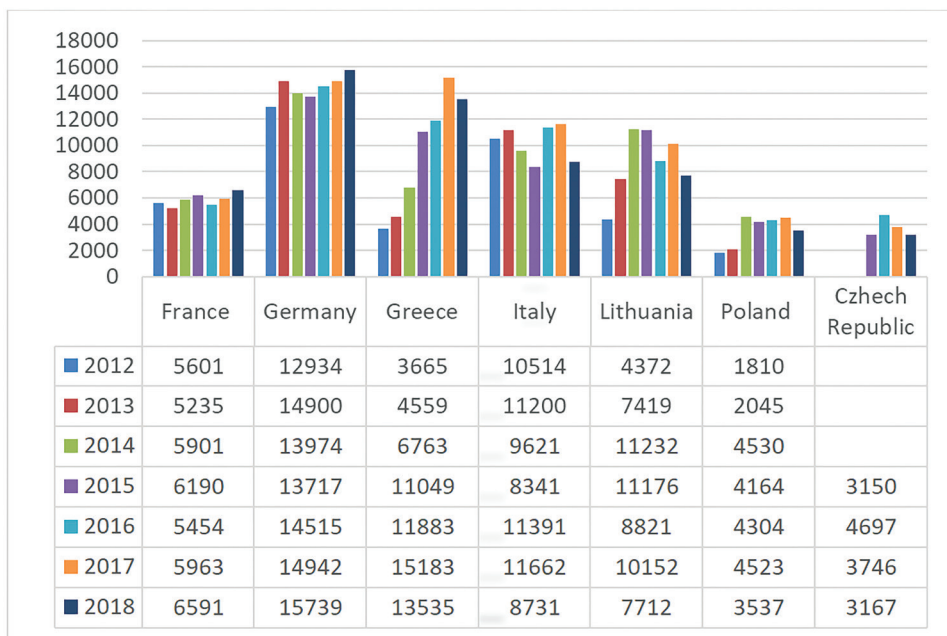


Figure 1 presents the countries that have consulates in Armenia and the total number of visa applications during 2012–2018. It should be noted that there is a positive trend among the Consulates accredited in Armenia, as certain consulates issue visas on behalf of other Schengen countries. The German embassy in Yerevan issues visas also on behalf of Austria, Belgium, Luxemburg, Netherlands, Sweden (as mentioned above, Austria delegated the application processing to VFS Global from 1 January 2020). Poland issues visas on behalf of Slovenia, and Slovakia, and Switzerland. Consulate of Lithuania in Armenia issues visas also for Latvia, Estonia, Denmark, Spain, and Hungary. Italian Embassy in Armenia issues visas on behalf of Italy, Malta, and Finland. France issues visa on behalf of France and Norway. The figure also shows that the number of applications continued to grow significantly in virtually all the consulates. The largest increases were in the Greek Consulate in Armenia (from 3,665 to 12535), the Polish Consulate (from 1,810 to 3537), and the Lithuanian Consulate (from 4,372 to 7712).⁵³

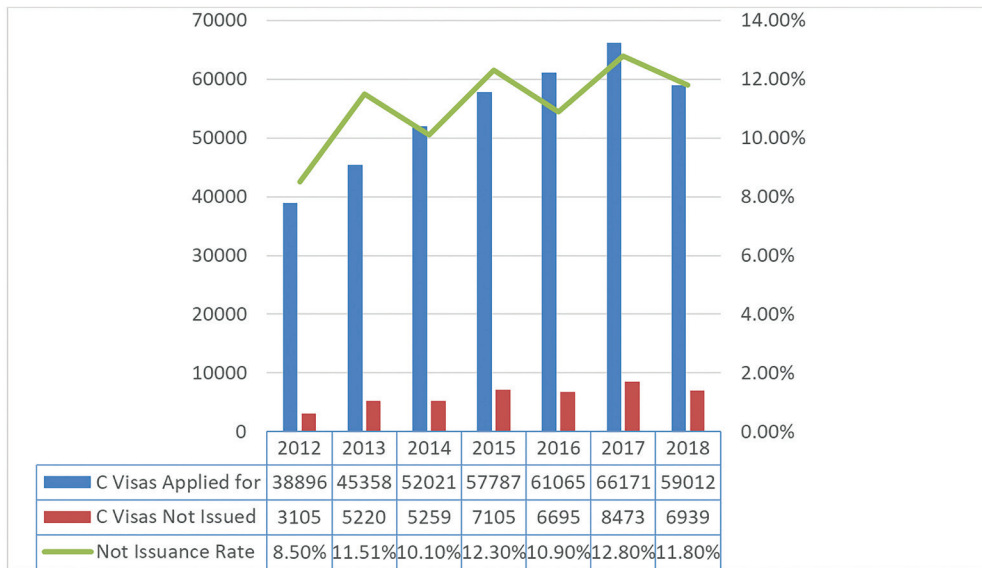
Figure 2 illustrates the number of applicants for Schengen C visas, as well as the number of refusals in Armenia.⁵⁴ Comparing the total visa numbers for

⁵³ The Czech Consulate started operating in Armenia in 2015; hence, all the figures contain only data for 2015–2018.

⁵⁴ The numbers are collected from the EU's official statistical data: <https://ec.europa.eu/>

2012–2018, it becomes clear that the total number of visa applications grew every year starting from 2012 (increasing from 38,896 to 59,012 in the year of 2018). Considering the increase in the numbers of multiple–entry visas during the same period, it is obvious that the number of times Armenian citizens visited the Schengen area has grown considerably. The green line in the Figure 2 shows the rate of not issuance of visas⁵⁵ – the refusal rate mostly floated from about 10% to 12.80% in the time period of 2013–2018.

Figure 2. The number of Visas Applied for and Not issued in Armenia



There has been a slight increase of refusal rates during the last three years. The cases of refusal especially are connected with the missing documents in the visa applications, as well as lack of reliable proof of purpose of travel. Often the applicants do not provide documentation regarding the accommodation, as well as bank statement indicating sufficient amount on the account of the applicant. Many refusals are issued, due to inability to prove the intention to return to Armenia before the expiry of the visa.

[home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en](#)

⁵⁵ Note in Armenia not issuance equals to formal refusal. In case of unsuccessful visa application, has become a common practice not to put a formal refusal stamp in the passport. Instead visa is not issued and documents are returned.

EaP Countries Benefiting Visa-Free Regime: Lessons Learnt From Case of Georgia

Among the 6 Eastern Partnership, three countries have already received visa-free regime. Moldova was the first post-Soviet republic to receive a visa-free regime with the EU in April 2014, followed by Georgia in March 2017⁵⁶ and Ukraine in June 2017.⁵⁷ After the visa-free regime was granted on 28 March 2017, during the 14 months 255,400 citizens of Georgia travelled to the Schengen zone countries.⁵⁸ As of June 2018, more than half a million Ukrainian nationals have travelled to the Schengen countries, since the visa-free regime of 2017.

It should be noted that the visa-free regime with these countries is subject to certain restrictions and requirements: citizens must have a biometric passport, answer the border guards' question about the purpose of travel, prove the existence of a return ticket, hotel booking, as well as the possession of funds for each date (the amount varies by country).

In parallel to the benefits of visa-free regime, such as increase of people-to-people contacts, freedom of movements, there are also certain risks of irregular migration (continued stay after the authorized period). Therefore, the EU has a certain mechanism in case of abuse of visa-free regime. In 2013 the EU Council adopted visa-free regime suspension mechanism (Regulation No 1289/2013) which facilitates the procedure by which Member States can raise problems and demand the suspension of the visa regime. The Regulations was further amended in 2018. Suspensions are possible in case of sudden and substantial increase in unfounded asylum claims, in irregularly residing persons, in entry refusals, lack of cooperation on readmission or an increased risk or imminent threat to the public policy or internal security of MemberStates, in particular a substantial increase in serious criminal offences (see Regulation No 2018/1806, provision 22).⁵⁹ The European Commission can suspend the visa-free regime temporarily (for nine months) for certain categories of citizens, with the

56 Parallel to the decision on the EU short-stay visa waiver for Georgia, the EU reserves the right to terminate the visa-free regime in case of violations by Georgia or Georgia's refusal to honor the commitments, and the European Commission shall conduct monitoring to this end. (<http://www.europarl.europa.eu/news/en/news-room/20170131IPR60306/georgia-visa-waiver-approved-by-parliament>)

57 Visa Liberalization with Moldova, Ukraine and Georgia: https://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/eastern-partnership/visa-liberalisation-moldova-ukraine-and-georgia_en

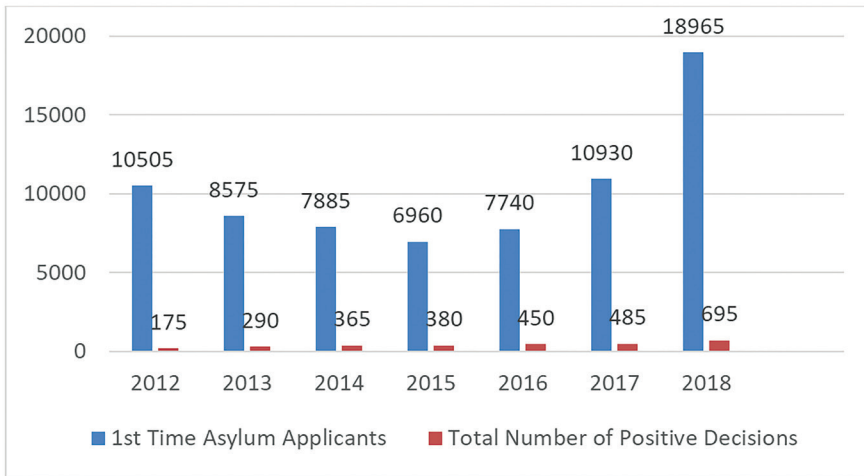
58 Georgian citizens traveled to Europe without a visa about 358,000 times (29.07.2018). <https://news.am/arm/news/464103.html>

59 Regulation No 2018/1806: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX-32018R1806&from=EN>

right to extend it if necessary if a qualified majority of member states agree. During such suspension, the Commission and the concerned country should seek a solution to the situation.

After Georgia, Moldova and Ukraine were granted visa-free regime, both the EU and these countries are carefully following the statistics of countries traveling to and from the EU, as well as the increase in the number of unfounded asylum applications.

Figure 3: Number of First Time Asylum Applicants of citizens of Georgia and the Number of Total Positive Decisions in the EU MS and in Norway, Switzerland, Iceland and Liechtenstein⁶⁰



As indicated in the Figure 3, in case of Georgia there have been an increase of asylum applicants right after the visa-free regime. In comparison with the 2016, in 2017, when Georgia was granted visa-free regime, the number grew from 7740 to 10930. In 2018 it almost doubled, reaching 18965 asylum applications.

There can be a risk of a high number of irregular migration from Armenia as well, in case of visa-free regime. The review and analysis of data on countries granted a visa-free regime, namely Georgia, as well as their implementation practice in the early years, is important for Armenia, because Armenia is just about to enter this phase, and deeply studying the reasons and drawing con-

⁶⁰ The data are collected from the Eurostat statistical office of the European Union: http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_asyappctza&lang=en

clusions may help to be better prepared for this phase. In that case, Armenia may be able to implement the steps required for complying with the European side's requirements in a shorter timeframe.

Article 3: Implementing Visa Facilitation Agreement Requirements: Introduction of Biometrical Passports

In the framework of the visa facilitation process, Armenia introduced biometric passports in Armenia. Starting from July 2012 the country officially introduced two new identity documents to replace ordinary passports of Armenian citizens. One is ID card with electronic signature, which can be used within the country, and the biometric passport with an electronic chip to be used for traveling abroad. The biometric passports include the biometric data (passport holder's image and fingerprints) and thus it is much easier to identify the person at the border checkpoints. The biometric passport costs 25,000 AMD (about 50 Euro), or 28,000 AMD (about 53 Euro) a passport and ID card together. The biometric passports and identification cards in line with the standards of the International Civil Aviation Organization (ICAO).

At the same time, it should be noted that the issuance of new passports is not mandatory and Armenian nationals can continue travelling with their old passports. The government of Armenia has frequently postponed the process. According to a decision of the National Assembly of the Republic of Armenia, a biometric passport had to be issued to citizens in case of receiving a new passport after January 2014. From January 2014, citizens could receive only a passport containing biological data. However, transition towards only the biometric passports and ID has slowed down.

In August 2016 Mnatzakan Bichakhchyan, the Head of the Passports and Visas Department of the Police, in his interview said that both types (old-specimen passports and biometrics) are legal in Armenia. Armenia did not introduce only biometric passports as some people based on religious beliefs refused to provide fingerprints for biometrical passports. Following the issue of human rights Armenia allowed until January 1, 2019, to have the old type passport (designated by Decree 821 dated 25 December 1998).⁶¹ A similar discussion restarted in August 2018, when the Ministry of Justice presented draft laws on amending the Law on Identification Cards and the Law on the Passport of the Citizen of the Republic of Armenia for public discussion. However, a final decision is still not made

⁶¹ ArmTimes. Biometric Passports are no Longer Requires, old type passport Will be Issued to Citizens, 03.08. 2016: <https://www.armtimes.com/hy/article/90836>

and both types of passports are functional and Armenian citizens can choose which type to get. The postponement is explained with the announcement a new tender for choosing a company that will serve the biometric passports and identification cards.⁶²

In a speech at the National Assembly on 19 November 2019, Armenia's Deputy Minister of Foreign Affairs Avet Adontz said the following in connection with the problems related to biometric passports⁶³: «There are technical problems: we have biometric passports, but their issuance is currently a bit problematic due to certain reasons. By yearend, though, our consular services intend to resolve the problem in terms of improving the quality of both biometric and diplomatic passports. Based on the assessment of these technical problems, new passports will be issued in 2020.»

It is important to note that there are no provisions in the Visa facilitation agreement concerning Biometric passports, thus holding a biometric passport is not mandatory to be able to benefit from visa facilitation. Nevertheless, for visa-liberalization issuance of biometric passports will be mandatory.

Along with the introduction of biometric passports, as well as visa facilitation and liberalization processes, the issue of data protection constituted an important part for Armenia. However, there are certain problems in the legislation and practice of Armenia. The Law of the Republic of Armenia on Protection of Personal Data of 2015 still requires reforms. The Law allows transferring personal data to third parties or grant access to data without consent of the person (Article 26).

For example, the personal data can be transferred without gaining the subject's consent if it is prescribed by law or an interstate agreement. Border Control Service of Armenia contains one of the largest number of personal data. At the same time, Border Control Department of the Russian Federal Security Service has access to the Border Control Service of Armenia. This means that the Russian Federation can see all the crossings of the Armenian border, the direction of travel, as well as the personal ID.⁶⁴

Furthermore, the Agency dealing with the protection of personal data is not independent. The institutions is called Agency for Protection of Personal Data of the Ministry of Justice of the RA and is a state institutions. According

62 IravabanNet. Old-specimen passports will be issued up to 1 January 2021, 24.08.2018: <https://iravaban.net/199667.html>

63 <https://armeniasputnik.am/society/20191119/21143638/Hayastani-andznagrery-texnikakan-xndirner-unen-2020-in-norery-ktpagrven.html>

64 Open Society Foundations, Armenia Report (n.d.), 'Personal Data Protection Issues in Armenia and Georgia', at http://www.osf.am/wp-content/uploads/2017/01/Article-5-RT-Personal-data_eng.pdf, retrieved on 27 July 2018.

to the Statute of the Agency, one of its main aims is the implementation of the Law of the Republic of Armenia on Protection of Personal Data.⁶⁵ However, as mentioned above the Law provides certain limitations and is open to third party countries for transferring data. Additionally, the fact that Agency is a state institutions highlight further problems with data protection in Armenia.

Article 4. Conclusions and Recommendations

Armenia has signed the Visa Facilitation and Readmission Agreements with the EU which are important steps for the EU visa-free regime. The Visa Facilitation agreement has provided number of benefits for the Armenian nationals, such as lower visa fee rate and faster procedure for issuance of visas.

At the same time, there are certain shortcoming and issues that need to be improved, in order to decrease the number of refusal of visa applications, as well as in order to launch the visa liberalization dialogue. For instance, the transition to only biometric passports has been postponed by the authorities of Armenian. Meanwhile, the biometric passports are a necessary condition for the visa-free regime.

Government of the Republic of Armenia

- In order to fasten the launch of the visa liberalization dialogue, Armenian authorities should show their readiness to adopt the Anti-Discrimination legislation and the Istanbul Convention. The anti-discrimination law needs to be adopted, as it is a key precondition.
- Specific procedures should be developed for biometric data processing, storage, provision, and use. The grounds and procedure of providing biometric data to other countries should be prescribed clearly, as well.
- The Republic of Armenia Law on Protection of Personal Data should be supplemented in order to ensure the independence of the Agency for Protection of Personal Data from state bodies, to prescribe its rights and obligations, and to provide it with sufficient financing.
- To ensure the effective operation of the Agency for Protection of Personal Data, it should be equipped with sufficiently experienced and knowledgeable human resources, professional equipment, and methodology. There should be a practice of reporting to the public in the form of an annual report that will be presented to the National Assembly and

⁶⁵ Statute of Agency for Protection of Personal Data of the Ministry of Justice: <http://www.justice.am/en/structures/view/structure/32>

published.

- Take measures to conduct the tender for selecting the biometric documents provider in accordance with the law and in a reasonable period, ensuring accountability and transparency of the process of concluding the new contract. Enable Armenian companies to participate in this and other similar tenders.

The European Union (Consular Services of EU Member States in Armenia *and* Visa Centers Operating in Armenia)

- Persons having a positive visa history should benefit from the facilitated rules even if they do not belong to the categories that are entitled to a facilitated visa under the Agreement.
- We recommend to the EU and to the consular services of EU Member States in Armenia to pay close attention to appeals against refusals and to ensure a more transparent, accessible, and streamlined process of reviewing decisions, which will enable the appealing citizens to get replies within a reasonable period. There is no data on the number of decisions changed as a result of appeals, which would make it possible to assess the effectiveness of the appeal process. Alternative avenues of appeal should be introduced, which will provide genuine opportunities for the exercise of the rights of applicants.
- EU Member States should be encouraged to open visa centers in other towns of Armenia (Gyumri, Vanadzor, and Kapan), so that especially citizens of remote towns can complete the visa procedures in a more convenient manner.
- The decision to collect or not to collect a visa fee in consulates and visa centers needs to be clarified. The visa fee waiver provision is often violated by the consular officers and the visa center employees (for the same type of visit purpose, a visa fee is sometimes collected, and sometimes waived). It will be good, possibly, for example, that the application form provides the answer related to the need of the visa fee after filling it in.
- Allow Member States to develop and implement a special procedure for granting an entry visa for up to 15 days on the border, which will be valid only in the issuing state.
- Engage active civil society organizations from Armenia in the visa and migration processes, namely in monitoring and evaluating the reforms implemented by the Armenian authorities in these fields. For example,

when there are discussions or hearings organized regarding the visa facilitation and liberalization by the authorities of Armenia, civil society representative need to be invited. Inclusion of the civil society organizations in the EU–Armenia negotiations and official process is highlighted in the CEPA.

- The consulates should avoid issuing single-entry or 1–6-month visas to applicants with a positive Schengen visa history. The one-year or longer visas should become the rule, rather than the exception. Although they have started to issue longer-term (especially two–five-year) visas, it is still rare, although doing so more frequently could very much ease the life of travelers to the EU and reduce the workload of the consulates and visa centers. Each next visa should not be for a term shorter than the previous one, especially as this is now possible under the February 2020 amendments to the EU Visa Code, as discussed above.
- The consular services should inform eligible applicant of their right to apply for a long-term visa.
- The visa centers should improve the selection and training of their technical personnel, including on topics of customer service and dealing with applicants, as there are issues of document security, storage, transportation, and return, in addition to professional knowledge and skills.

Armenian Citizens and State Authorities

- Citizens applying for a visa are urged to be more diligent in the preparation and collection of documents required for a visa, to refrain from providing false data and documents, and refrain from changing the reasoning documents after receiving a visa (for instance, changing the destination country), because the visa may be canceled in such cases, or entry may be prohibited at the border.
- We recommend various public awareness-raising activities in this field, including publishing and dissemination of information materials. This recommendation concerns especially the non-governmental organizations active in relation to visas and migration.
- We recommend to the Armenian state authorities to continue organizing seminars, study tours, and training programs for their staff working in this field.

Passports and Visas Department of the Police

- Ensure the uninterrupted process of issuing biometric passports. Ac-

countability and transparency of the calls for bids, tenders, and new contract awards should be ensured.

- The fee for biometric passports should be reduced in order to make them affordable for the whole population. The biometric passport costs 25,000 AMD (about 50 Euro), which is quite high price in Armenia, where the average salary is about 250 Euro.
- The passport samples should be regularly exchanged with the EU, and there should be cooperation in matters of document security.

Chapter Two.

Monitoring of the Implementation of the Armenia–EU Readmission Agreement

The purpose of this Report is to review the honoring of Armenia’s commitments under the Agreement between the European Union and the Republic of Armenia on the Readmission of Persons Residing without Authorization in the course of 2019, to identify the reintegration problems faced by Armenian citizens returning to Armenia, and making policy recommendations to improve the process in this area.

The Report was prepared using the following methodology:

- The migration policy documents of Armenia that concern return, readmission, and reintegration were reviewed, as well as the Program of the Armenian Government, the Comprehensive and Enhanced Partnership Agreement (CEPA) between Armenia and the EU, and other documents.
- The international experience was studied, namely the policies of other countries with respect to facilitating the return of their citizens. The existing studies on the rights of returnees and their reintegration issues were reviewed. Statistical data on readmission, asylum, and reintegration was collected.
- Expert inquiries were made. Questions were prepared and sent to the state bodies responsible for the sector, namely the Migration Service under the Ministry of Territorial Administration and Infrastructure and the “single window” reintegration service, as well as others.

Article 1. Trends of Return to the Republic of Armenia

Return flows have intensified in recent years due to the tightening of migration policies in EU Member States in light of the 2015 migration crisis in Europe. At present, returning migrants from the EU to their countries of origin is a priority in the migration policy agenda of the EU. Recent migration developments in Europe have shown that the focus on return will grow, rather than subside in the coming years. Armenia is now considered a “safe country,”⁶⁶ and therefore, the vast majority of asylum applications of migrants from Armenia are rejected.

During 2010–2018, Armenian citizens lodged a total of 57,250 asylum applications in EU and EFTA countries (EFTA – European Free Trade Association,

⁶⁶ Armenia does not have a situation of war or mass violations of human rights or the like.

group of four countries Iceland, Liechtenstein, Norway, and Switzerland). Based on final decisions in 2010–2018, a total of 1,080 Armenian citizens were granted refugee status, 1,015 citizens were granted humanitarian protection status, and 880 were granted complementary protection status. During this period, the four primary destinations were Germany, France, Austria, and Belgium, which together annually received about 88 percent of the Armenian citizens seeking asylum.⁶⁷

In 2019, 4,360 Armenian citizens received asylum in the EU (28) and EFTA (4) member states, of which 3,525—for the first time. The 2019 figure was lower than the 2018 figure. Moreover, the 2019 figure was the lowest in the last 10 years. The main destination countries for Armenian citizens seeking asylum were France, Germany, and the Czech Republic.⁶⁸

The aforementioned statistics confirm that the number of Armenian citizens that are in the EU Member States irregularly has grown considerably in recent years, and there is now a buildup of Armenian citizens that are irregular migrants. There has been an official decision on them leaving the EU territory, which will speed up their return in the near future. Their return is being delayed due to various circumstances,⁶⁹ but as they eventually find themselves having an irregular status (for example, rejected asylum seekers, undocumented migrants, etc.), they return to Armenia voluntarily or compulsorily.

The statistical data that is available provides some understanding of return inflows and the next few years' potential return inflows to Armenia.

The number of requests made under readmission agreements (for persons residing without authorization) is growing every year: while in 2015, a total of 146 requests were received from EU Member States, the number reached 989 requests in 2018. While in 2014, only two Member States of the EU (Sweden and Poland) sent readmission requests, the number of requesting Member States reached 10 in 2019. More than 80 percent of the responses confirmed the fact of the person having Armenian citizenship. In the last three years, Germany has topped the list of countries sending readmission requests: while in 2017, Germany sent 499 requests (concerning 1,022 persons), it sent 681 requests in 2018 (concerning 1,385 persons), and 587 requests in 2019 (concerning 1,182 persons), the Armenian citizenship of 1,043 of which was confirmed. The gen-

67 V. Matevosyan, Migration in Numbers analytical bulletin: Armenian citizens seeking international protection in Europe, Migration Service of Armenia, 2019, accessible (in Armenian) at: http://www.miglib.org/sites/default/files/migration_in_figures_0.pdf

68 See Annex 3 to this Report for the statistics.

69 It is impossible due to the absence of or false data in travel documents or other personal identification documents. Trying to settle in a European country at any cost, many people lodge repeat applications for asylum, which initiates a protracted process that can at times last years.

eral trend of recent years continued, and the number of readmission requests from the EU Member States continued to rise in 2019⁷⁰: 10 EU Member States sent 870 readmission requests in 2019 concerning 1,656 persons, the Armenian citizenship of 1444 of which was confirmed.⁷¹

According to **Eurostat**,⁷² return decisions were taken in respect of 5,350 Armenian citizens in 2017, but only about 1,470 of them (24.7%) actually returned. In 2018, 4,135 Armenian citizens were due to return to their country of origin, but only 2,030 actually did return. During 2009–2018, EU Member States adopted decisions on the return of a total of 46,945 Armenian citizens. During 2009–2018, 12,050 Armenian citizens actually returned to Armenia from EU Member States.⁷³

Information from organizations implementing **reintegration programs** and the **“single window” reintegration service** operating within the Migration Service under the Ministry of Territorial Administration and Infrastructure provide an understanding of the actual return: during 2018, 1,771 Armenian citizens, and in 2019—2,359 Armenian citizens returned to Armenia and applied to the reintegration programs.

Article 2. State Policies of the Republic of Armenia on Return and Reintegration

The following questions were posed to the Migration Service of the Ministry of Territorial Administration and Infrastructure of the Republic of Armenia, considering that the Migration Service is the agency responsible for the implementation of the readmission agreements in Armenia:

1. What are the trends in terms of readmission requests received from EU Member States and the actual return of Armenian citizens from the EU? What are the readmission statistics and actual return statistics in 2019?
2. What steps were and/or are being taken by the Migration Service to facilitate the successful and sustainable reintegration of migrants returning to Armenia?
3. What are the recent developments in the state policies on return and

⁷⁰ See Annex 2 to this Report for the statistics.

⁷¹ See Annex 1 to this Report for the statistics.

⁷² Eurostat statistics, available at:

<https://ec.europa.eu/eurostat/web/asylum-and-managed-migration/data/database>

⁷³ V. Matevosyan, Migration in Numbers analytical bulletin: Armenian citizens seeking international protection in Europe, Migration Service of Armenia, 2019, accessible (in Armenian) at: http://www.miglib.org/sites/default/files/migration_in_figures_2019_1_B.pdf?fbclid=IwAR2ezC-dtLR38lZu7VGfFnPW_HPNIACixftww_fly2owHaRSSnemxj-abc

reintegration?

4. Please, provide information on the progress of developing and implementing the Readmission Case Management Electronic System?

The response sent to our request by the Migration Service on 10 February 2020 provides the following information.

Given the importance of return and reintegration, a number of policy and institutional changes were made in the course of 2019:

- Despite the rather active return of Armenian citizens to Armenia since the 2000s, the existing integration policies did not address their reintegration. The steps aimed at the reintegration of returnees were mostly led by international and non-governmental organizations through projects (but not policies). Therefore, in line with Paragraph 6.7 of the Annex to the Government Program⁷⁴, the Migration Service developed the 2021–2031 draft **Strategy for Addressing Integration and Reintegration Issues in the Migration Policy of the Republic of Armenia**,⁷⁵ which will be presented to the Government for approval in the course of 2020. The goal of the strategy is to articulate evidence-based strategic policy priorities on the basis of the current and expected migration flows, the needs of the target groups, and Armenia’s development priorities and international commitments.
- As a result of institutional changes undertaken by the Migration Service, **a Return and Reintegration Division** was created in February 2019. Its key functions include the development of reintegration strategies for citizens returning to Armenia and the implementation of projects aimed at the reintegration of citizens returning to Armenia.
- The Division has developed and presented to the Government for approval a draft Decree of the Government on **the State Program of Primary Support to the Reintegration of Citizens Returning to the Republic of Armenia**.⁷⁶

The Program is aimed at providing primary assistance to Armenian citizens returning to Armenia (including those returned compulsorily) in order to

74 Approved by the RoA Government Decree 65-A dated 8 February 2019

75 RoA Government Decree approving the 2021–2031 Strategy for Addressing Integration and Reintegration Issues in the Migration Policy of the Republic of Armenia, accessible (in Armenian) at: <https://www.e-draft.am/projects/2298>

76 RoA Government Decree on the State Program of Primary Support to the Reintegration of Citizens Returning to the Republic of Armenia, accessible at <https://www.e-draft.am/projects/1976/about>

facilitate their complete and sustainable reintegration in the future. The Program has two components: information support and need-based referral, as well as provision of temporary housing. The first component concerns Armenian citizens returning voluntarily and compulsorily, while the second component – provision of temporary housing – only those returning compulsorily. The provision of temporary housing is a subsidy for renting an apartment for 6 months in the amount of 60,000 AMD. **The Program target groups are** Armenian citizens returning under readmission agreements, and Armenian citizens deported or expelled from foreign states.

The Program will prioritize:

- a) children with many (four or more) children;
- b) the elderly (65 years old or older);
- c) persons with disability;
- d) persons in need of urgent medical care; and
- e) returning unaccompanied children and children left without parental care in Armenia.

Despite the existence of a number of programs to encourage the return, the state support program for returnees has not been implemented so far. Besides, the reintegration assistance programs target mostly voluntary returnees, and the compulsory returnees are mainly excluded from any assistance. At the same time, it is important to highlight that the program is based on the vulnerability of individuals, and not on the fact of having migration experience.

It should be also mentioned, that the adoption of the program is an important step towards the solution of the problems arising from the implementation of the commitments within the framework of the Armenia-EU readmission agreement, which is also important factor for the launch of the Visa Liberalization Dialogue between Armenia and the EU.

In addition to the aforementioned measures, the following significant events took place in the course of 2019:

- On 2 April 2019, the **5th session of the EU-Armenia Readmission Agreement Implementation Joint Committee** was held in Yerevan.⁷⁷ The European side highly appreciated the efforts made by the Armenian side towards honoring of the commitments under the EU-Armenia Readmission Agreement.
- On 9 April 2019, the **10th EU-Armenia Subcommittee meeting on Justice, Freedom and Security** was held in Brussels. The sides discussed prog-

⁷⁷ EU-Armenia Readmission Committee, 5th joint session, <http://migration.am/news/80>

ress made since the previous session held in Yerevan in May 2018.⁷⁸

- On 13 September 2019, the **5th session of the EU–Armenia Visa Facilitation Committee was held in Yerevan.**⁷⁹ The sides highlighted the progress achieved in the implementation of the EU–Armenia Visa Facilitation Agreement and discussed the next steps aimed at further improving the effective and complete implementation of the Agreement.
- Close cooperation has been achieved between the **Migration Service and Frontex (the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union)**. On 25 and 26 September 2019, Frontex organized a capacity-building seminar for employees working in the return and reintegration field. Then, a seminar on the EU’s Best Practices in the Field of Return was held on 27 September. New proposals on cooperation, which are currently being considered by Frontex, were presented to the Armenian side.⁸⁰

Article 3. Steps Taken towards the Launch of the Visa Liberalisation Dialogue with EU

Liberalisation of EU visas for Armenian citizens is an important priority for the Armenian Government. In the course of 2019, the Armenian Government continued to take steps to secure this process.⁸¹ This is also provided in the Roadmap for Implementation of the CEPA. The Government’s efforts have been aimed at reducing the number of Armenian citizens seeking asylum in EU Member States and ensuring their return and reintegration. Moreover, during 2019, the Armenian side took the initiative to hold bilateral visits to a number of key Member States of the EU to negotiate ways of facilitating **the launch of a visa liberalisation dialogue with the EU**. The Armenian delegation comprised of officials from the Police, Ministry of Foreign Affairs and Migration Service, and in the latest visits—was led by, the Head of the Migration Service of ArmeniaAr–

78 The 10th EU–Armenia Subcommittee meeting on Justice, Freedom and Security was held in Brussels: https://www.facebook.com/eudelegationtoarmenia/posts/2188546894532561?__tn__=K-R

79 EU–Armenia Visa Facilitation Committee, 5th joint session, https://www.mfa.am/hy/press-releases/2019/09/13/eu_am/9819

80 Frontex training on return: <http://migration.am/news/228>

81 RoA Government Program for 2019, accessible at: <https://www.gov.am/files/docs/3133.pdf>, p. 18

men Ghazaryan. An official delegation visited Germany,⁸² Austria,⁸³ Belgium, the Netherlands, and Luxembourg,⁸⁴ France,⁸⁵ Spain, Sweden, and Finland.

In addition to the aforementioned measures, representatives and experts of **the Analytical Centre on Globalization and Regional Cooperation (ACGRC)** non-governmental organization and the **European Stability Initiative** think tank visited the EU institutions in Brussels. The meetings were very productive and complemented the bilateral visits by the Armenian official delegation and the negotiation agenda, demonstrating in parallel that civil society, too, is keen on supporting this process.

Article 4. Readmission Agreements

The Migration Service continues to participate actively in the preparation and signing of international agreements on migration, including a number of inter-state agreements on readmission. In the frameworks of the Agreement signed on 19 April 2013 between the European Union and the Republic of Armenia on the Readmission of Persons Residing without Authorisation (the Readmission Agreement), bilateral implementing protocols were signed in the course of 2019 with Germany (on 10 September), the Czech Republic⁸⁶ (on 21 October), and Bulgaria (on 28 October 28). Draft Implementing Protocols are pending with Poland, Latvia, Lithuania and Sweden.

Besides, bilateral readmission agreements have been drafted with the Islamic Republic of Iran, India, Uzbekistan, and the Philippines, and sent for negotiations and authorization through the diplomatic channels.

82 Armenia undertakes to launch the visa liberalisation dialogue with EU Member States: https://armenpress.am/arm/news/961298.html?fbclid=IwAR1z2b8pPg5wixxBWP4vJLe5215y6h-n2lpXqFjCHkclRL38uR62Eip-T_0

83 Inter-agency delegation led by the Deputy Chief of the Armenian Police visited Austria to discuss the prospects of launching the Armenia-EU visa liberalisation dialogue: http://www.police.am/news/view/%d5%b0%d5%b0-%d5%a5%d5%b4-%d5%b4%d5%b8%d6%82%d5%bf%d6%84%d5%ab-%d5%a1%d6%80%d5%bf%d5%b8%d5%b6%d5%a1%d5%a3%d6%80%d5%a5%d6%80290719.html?fbclid=IwAR10bbly0WT_CjqkgeSCBxQU9DRWK_aYoNPh06anE0w0g9FD3RippRrJgrU

84 Interview of Avet Adontz, Deputy Minister of Foreign Affairs of Armenia, with the Hayastani Hanrapetutyun daily, 12 September 2019:

https://www.mfa.am/hy/interviews-articles-and-comments/2019/09/12/adonts_inter-view/9815?fbclid=IwAR2dNf6ITaPP07M6b6bd6JcAJQUx6EmukXFSUfb9bEIKUYFJ6gWb6lveass

85 **Armenian inter-agency delegation discusses** prospects of launching the Armenia-EU visa liberalisation dialogue with French counterparts in Paris:

<http://migration.am/news/217>

86 **Political consultations between the foreign affairs ministries of Armenia and the Czech Republic:** https://www.mfa.am/hy/press-releases/2019/10/22/political_consultatios_arm_cz/9911

Article 5. Readmission Case Management Electronic System

According to information provided by the Migration Service, the **Readmission Case Management Electronic System (RCMES)**, which has been in operation since February 2019, is currently used to receive readmission requests from the respective migration officials of Germany, the Netherlands, Poland, Belgium, Bulgaria, Austria, and France. The requests received from the said countries are processed completely within the RCMES. Romania, another Member State of the EU, is currently in the process of joining this system.

Over these months, the smooth operation of RCMES has been improved continuously on the basis of recommendations and feedback from the staff operating it, as well as the representatives of the Armenian and European sides. Various technical-level efforts have been exerted by Armenia and the EU in the course of 2019 to ensure the smooth operation of the system.

It is worth noting that the use of this system is provided for in the EU-Armenia Roadmap for Implementation of the CEPA.⁸⁷

Article 6. The Return and Reintegration Forum

Since 2018, the Migration Service initiated the organization of **a series of quarterly meetings of the Return and Reintegration Forum**. The creation of the Forum benefited from the existence of the format of quarterly meetings between organizations supporting reintegration of Armenian citizens returning to Armenia under the 2012–2016 Targeted Initiative for Armenia project implemented by the French Office for Migration and Integration (OFII) with financial support from the EU. By yearend 2019, the Forum had seven meetings, during which return and reintegration issues, potential solutions, public policies, and other matters were discussed with international organizations and NGOs. The Forum is a good platform for cooperation, which brings together state bodies and international and non-governmental organizations dealing with these issues. It enables all stakeholders to share experience and information on reintegration projects implemented in Armenia, and the problems and challenges faced.

⁸⁷ Part 3: Cooperation in migration, asylum, and border management; movement and re-admission of persons; paragraph 14, p. 8: https://www.e-gov.am/u_files/file/decrees/varch/2019/19_666_1.pdf

Article 7. Awareness-Raising Campaigns to Combat Illegal Migration

In the course of 2019, a number of activities to raise awareness of irregular migration were carried out jointly with the efforts of state, international and local organizations. These are activities stipulated by the Roadmap for Implementation of CEPA.⁸⁸

In April 2019, the Migration Service initiated the **Media and Migration** project. The year-long media monitoring showed an improvement in the quality of the media reports. Over 50 journalists took part, and about 100 media reports were published.

The Migration Service and the International Organization for Migration initiated a **Project for Orientation of Potential Labor Migrants from Armenia and Provision of Legal Advice to Foreigners Working in Armenia**. Under this project, five separate action plans were developed. The project will be launched in 2020.

The Migration Service is also working on further improving the “**Tundarc**” **website information system**. The website is for citizens intending to return to Armenia.

It provides useful information on the process of travel, return, and reintegration in Armenia. The system contains sections with information on different aspects of return and reintegration, as well as tools that enable citizens to pose their questions directly to Armenian governmental agencies.

Article 8. Statistics on Citizens applying to the Single Window Reintegration Service in 2019

During January–December 2019, 40 returning migrants (including their family members, all from Germany) applied to the Single Window service and reintegration projects. 20 of them returned voluntarily, and 20—compulsorily.

During this period, 30 citizens visited and 24 citizens telephoned for information and advice on various social and legal issues.⁸⁹

Citizens most frequently applied to the service for information on:

- ✓ The process of deportation from an EU Member State;
- ✓ The organization of voluntary return from an EU Member State;

⁸⁸ Part 3: Cooperation in migration, asylum, and border management; movement and re-admission of persons; paragraph 14, p. 8: https://www.e-gov.am/u_files/file/decrees/varch/2019/19_666_1.pdf

⁸⁹ Reintegration counselor at the “single window” reintegration service.

- ✓ The possibilities of reintegration in Armenia after return;
- ✓ The reintegration projects implemented in the field and the types of assistance available under them;
- ✓ How to solve problems caused by the absence of apostil in the birth certificate of a child born abroad;
- ✓ The process of claiming the lump-sum child birth benefit after returning to Armenia;
- ✓ Customs clearance of personal items imported to Armenia; and
- ✓ The accommodation of elderly persons in boarding homes after return and the organization of their care.

Needs-based advice and referral services were provided to a total of **94** citizens: they were referred not only to a specific reintegration project for assistance, but also to the relevant governmental agencies.

Returnees were referred to the ERRIN Armenia project implemented by the International Center for Migration Policy Development (ICMPD), IOM Armenia, the Child Support Center foundation of the ARF, the State Employment Agency under the Ministry of Labor and Social Issues, the Ministry of Health, and various health care providers.

Article 9. Statistics of Migrants Returning to Armenia under Reintegration Projects (2018–2019)

Starting from 2018, the Migration Service, working with international and non-governmental agencies active in the field, has been collecting and aggregating statistics on migrants returning in the framework of the existing reintegration projects. Statistics are collected semiannually and annually, using a predefined form. The aggregated statistics are presented at the quarterly meetings of the forum dealing with issues faced by returning Armenian citizens.

The Single Window reintegration service working within the Migration Service supports the collection of statistics and the organization of the forum's work.

In the absence of official statistics on citizens returning to Armenia, the figures below provide an understanding of the number of persons returning to Armenia under reintegration projects.

Statistical data on migrants returning under their projects were provided by the Armenian Caritas charitable NGO, the International Center for Migration Policy Development (ICMPD) Armenia office, IOM Armenia, and organizations providing services to the French Office of Immigration and Integration (OFII),

namely the Armenian Sustainable Development Foundation, the Person in Need NGO, the Business Initiatives Strengthening and Development NGO, the Qualified Smart Assistance organization, the Armenia SME DNC Foundation, and the Single Window service.

According to the statistics, 1,771 persons returned to Armenia in 2018 and applied to the reintegration projects/the Single Window service (Figure 1), of which 1,493 were voluntary and 278 were compulsory returnees (Figure 2).

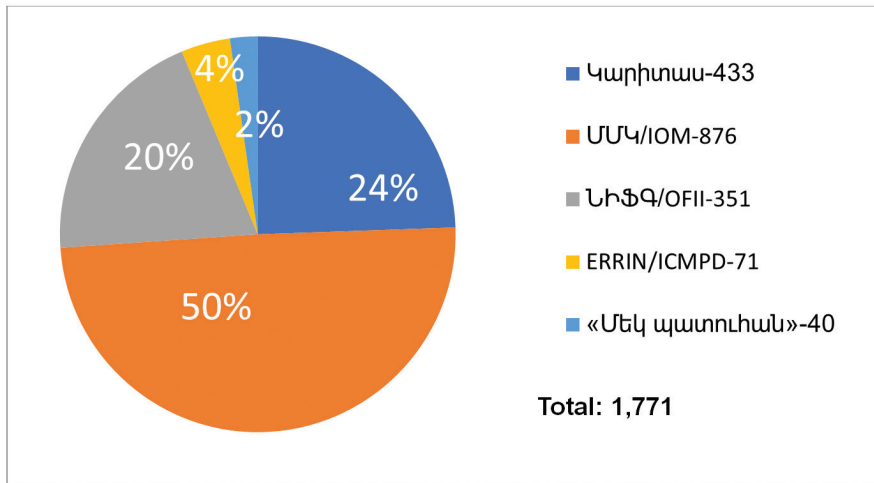
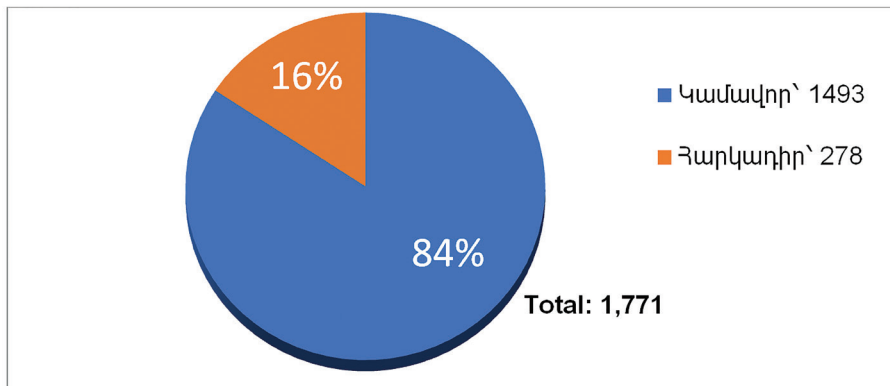


Figure 1. Number of persons that returned through reintegration projects and applied to the Single Window service, 2018



[Voluntary: 1,493 Compulsory: 278 Total: 1,771]

Figure 2. Number of returnees, by type of return, 2018

In 2019, there were 2,359 returnees (Figure 3), of which 1,852 were migrants returning voluntarily and 507—compulsorily (Figure 4).

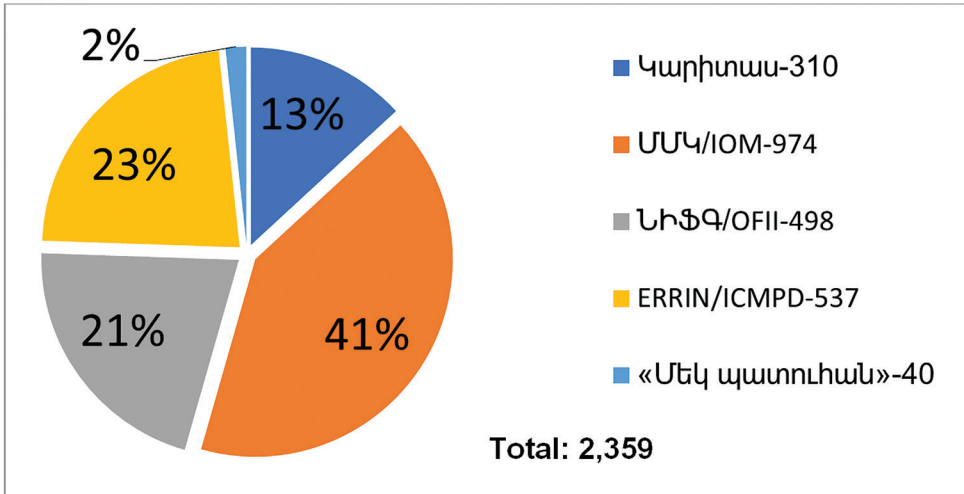
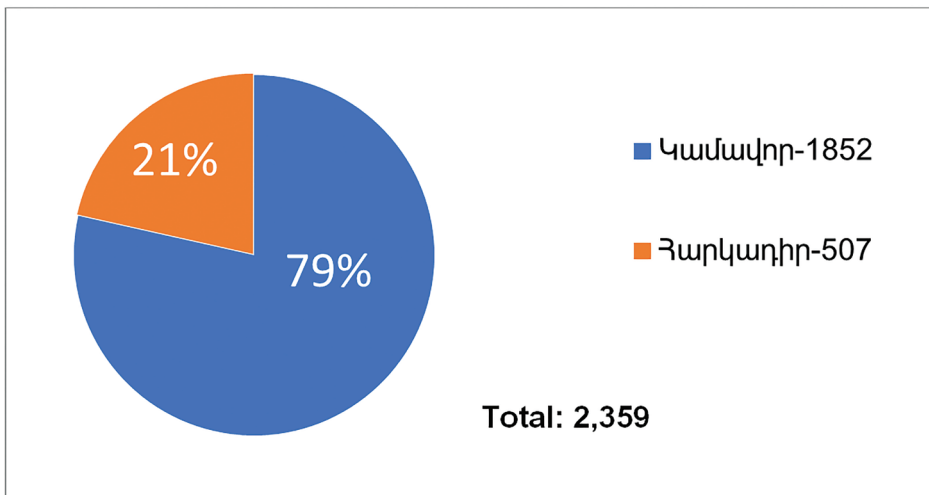


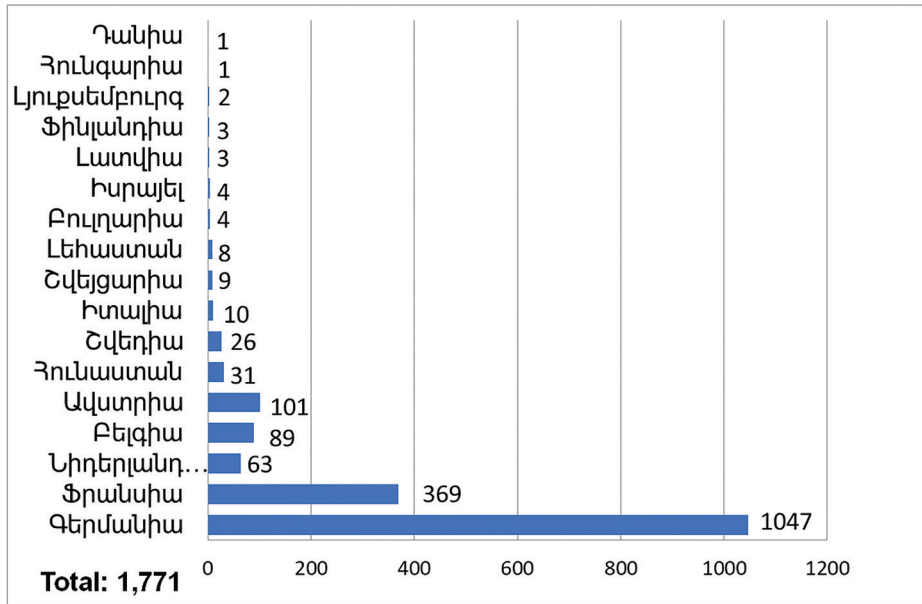
Figure 3. Number of persons that returned through reintegration projects and applied to the Single Window service, 2019



[Voluntary: 1,852 Compulsory: 507 Total: 2,359]

Figure 4. Number of returnees, by type of return, 2019

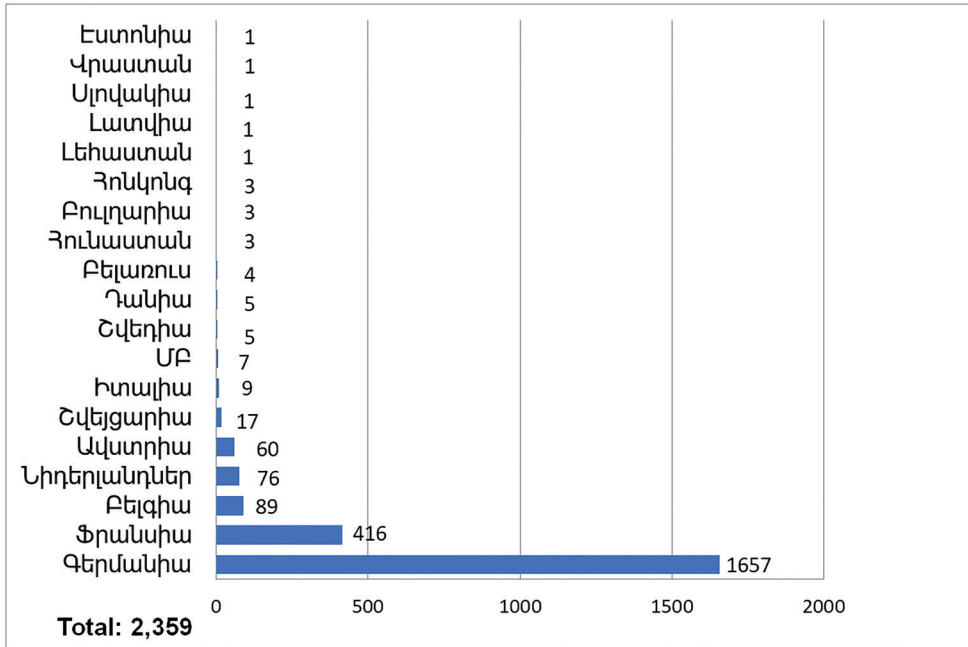
As to the number of returnees by countries, the highest numbers of return, due to the tightening of the migration legislation in 2018, were from Germany (59%), followed by France (21%) and the Netherlands (4%) (Table 1).



[Denmark 1; Hungary 1; Luxembourg 2; Finland 3; Latvia 3; Israel 4; Bulgaria 4; Poland 8; Switzerland 9; Italy 10; Sweden 26; Greece 31; Austria 101; Belgium 89; Netherlands 63; France 369; Germany 1047]

Table 1. Number of returnees, by countries, 2018

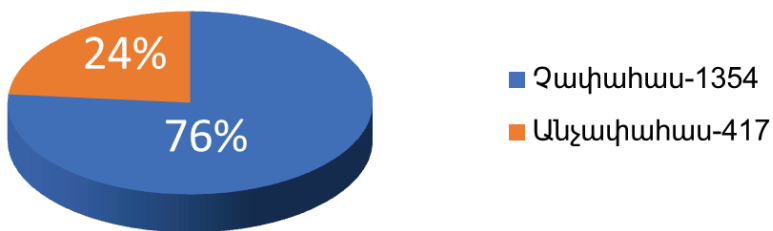
As can be seen from the data in Table 2, the highest figures of return in 2019, too, were from Germany (**70%**) and France (**18%**), followed by Belgium (**4%**).



[Estonia 1; Georgia 1; Slovakia 1; Latvia 1; Poland 1; Hong Kong 3; Bulgaria 3; Greece 3; Belarus 4; Denmark 5; Sweden 5; United Kingdom 7 Italy 9; Switzerland 17; Austria 60; Netherlands 76; Belgium 89; France 416; Germany 1657]

Table 2. Number of returnees, by countries, 2019

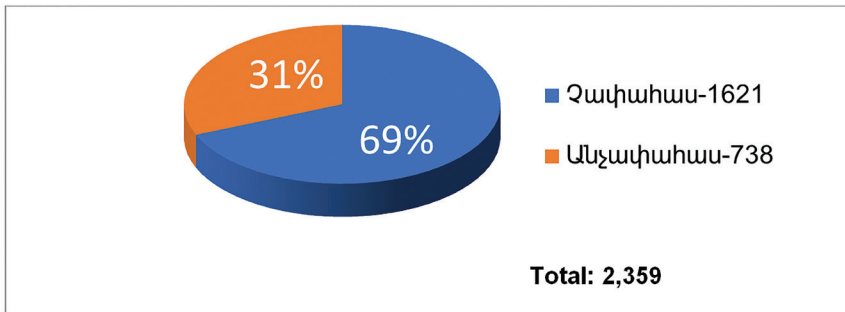
In both 2018 and 2019, the largest share of returning migrants was adults: 76% (Figure 5) and 69% (Figure 6), respectively.



Total: 1,771

[Adult: 1,354 Child: 417 Total: 1,771]

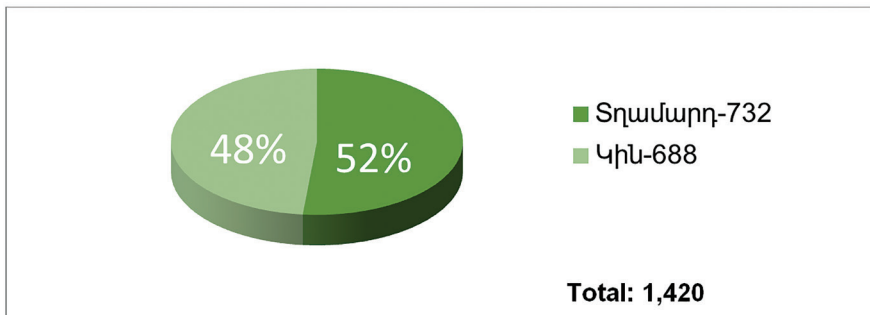
Figure 5. Age breakdown of returnees, 2018



[Adult: 1,621 Child: 738 Total: 2,359]

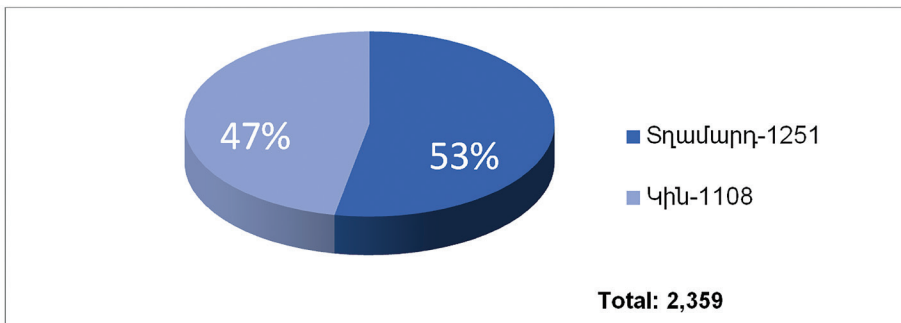
Figure 6. Age breakdown of returnees, 2019

As to the gender breakdown, the majority were male—52% (Figure 7) and 53% (Figure 8), respectively.



[Male: 732 Female: 688 Total: 1,420]

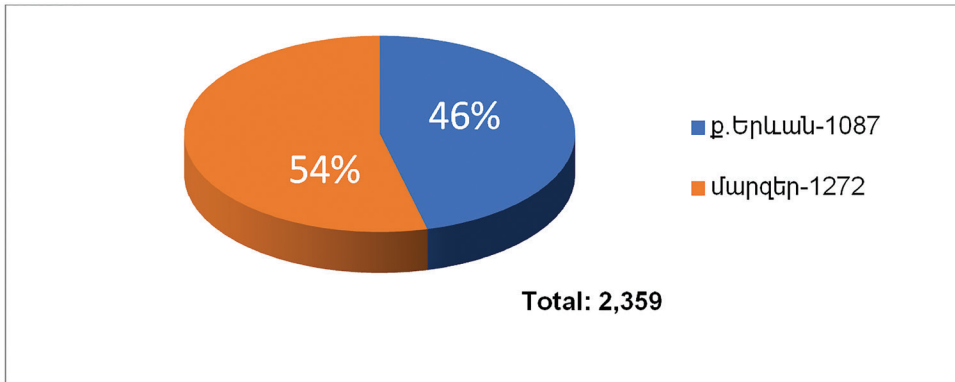
Figure 7. Gender breakdown of returnees, 2018



[Male: 1,251 Female: 1,108 Total: 2,359]

Figure 8. Gender breakdown of returnees, 2019

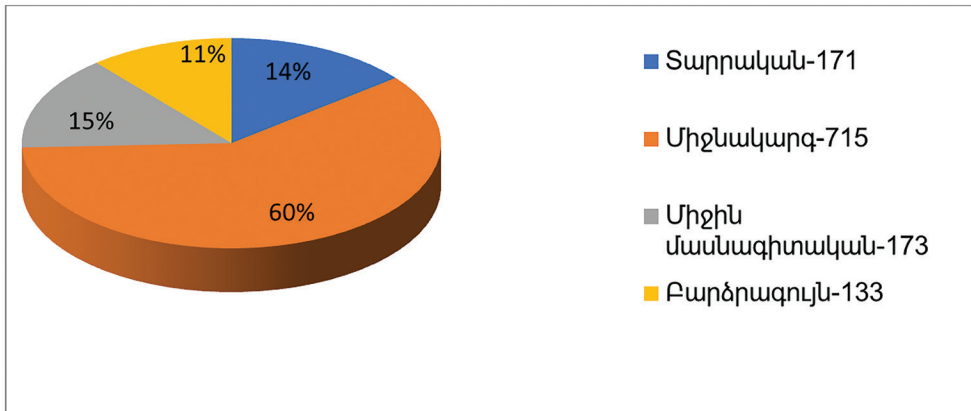
In 2019, the majority of the returnees (54%) were from the regions of Armenia (Figure 9).



[Yerevan: 1,087 Regions: 1,272 Total: 2,359]

Figure 9. Number of returnees by regions, 2019

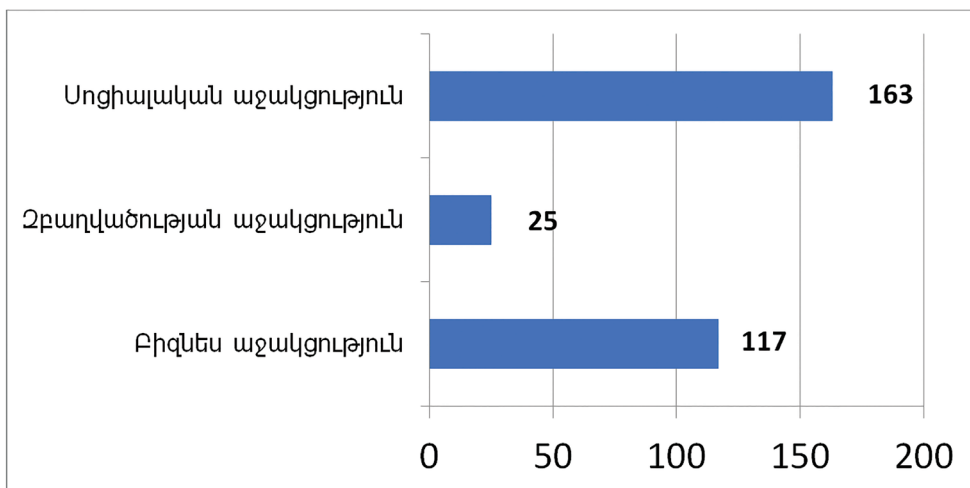
Figure 10 presents the education level of migrants returning in 2019: their majority (60%) was persons with secondary schooling. The data below does not contain persons with secondary vocational degrees.



**[Elementary school: 171 Secondary school: 715
Secondary vocational: 173 Higher education: 133]**

Figure 10. Education level of returnees, 2019

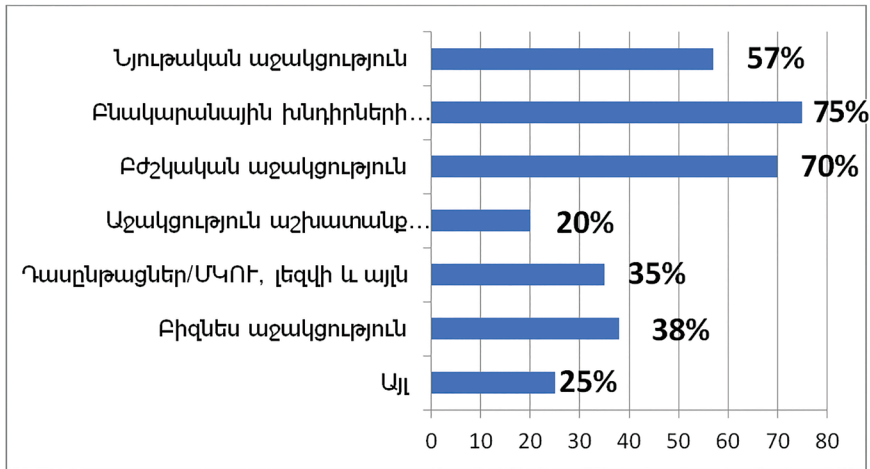
In the course of 2018, the Armenian Caritas charitable NGO and the French Office of Immigration and Integration (OFII) provided social assistance to 163 migrants, employment assistance to 25, and business assistance to 117 (Figure 11).



[Social assistance; Employment assistance; Business assistance]

Figure 11. Number of beneficiaries receiving reintegration assistance from OFII and the Armenian Caritas, by types of assistance, 2018

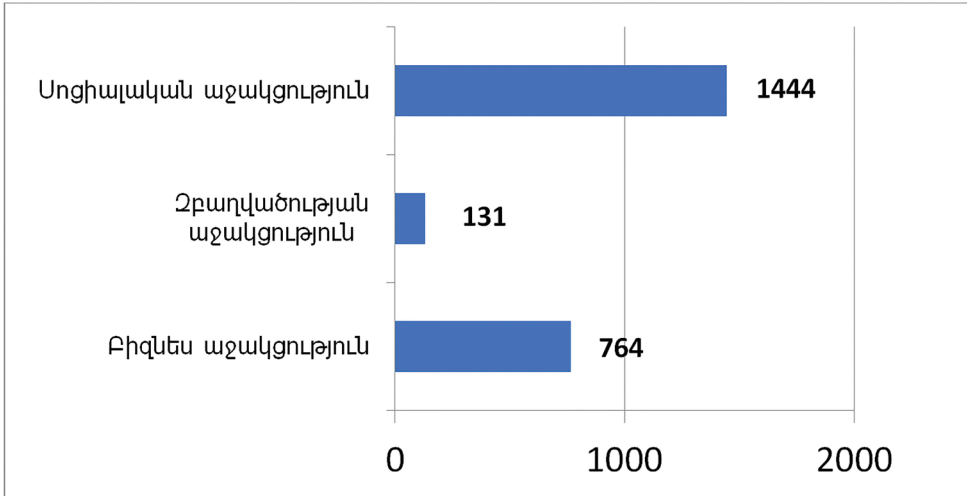
The number of beneficiaries receiving reintegration assistance from IOM in 2018 is presented below (Figure 12). The numbers are presented in percentage terms, because clear numbers of beneficiaries of reintegration assistance is not available.



[In-kind assistance Housing assistance
Medical assistance Employment assistance
Training/vocational, language, and other
Business assistance Other assistance]

Figure 12. Number of beneficiaries of IOM reintegration assistance, by types of assistance, 2018

Figure 13 presents the number of beneficiaries receiving reintegration assistance from IOM in 2019: 1,444 persons received social assistance in 2019, 131 received employment assistance, and 764 received business assistance (Figure 13). A total of 2,339 returnees (out of 2,359 returnees, i.e. **99%**) received reintegration assistance.



[Social assistance; Employment assistance; Business assistance]

Figure 13. Number of beneficiaries of reintegration assistance, by types of assistance, 2019

Article 10. Conclusions and Recommendations

To sum up the activities implemented by the Armenian Government in the course of 2019 with respect to the Agreement between the European Union and the Republic of Armenia on the Readmission of Persons Residing without Authorisation, it can be noted that Armenia is continuing to make progress towards honoring her commitments under the Agreement. On a number of occasions, EU officials have on a number of occasions highly praised the efforts by the Armenian authorities and their commitment to the effective implementation of the Agreement.

This is confirmed also by the large share of cases in which the Armenian side determined the citizenship of persons (80%), as well as all the practical steps aimed at improving the speed and effectiveness of the process.

Owing to measures taken by the Armenian authorities, especially with respect to improving the readmission and return process, first-time asylum applications lodged by Armenian citizens in EU Member States have declined every year—from 6,875 in 2017 to 4,815 in 2018 and 3,525 in 2019.⁹⁰

Furthermore, certain steps have been taken to address our recommendations raised in our 5th report.⁹¹ **The state policy and program of assistance to the reintegration of citizens returning to Armenia** were developed. In this connection, in 2019, Government decrees were drafted on the **Strategy for Addressing Integration and Reintegration Issues in the Migration Policy of the Republic of Armenia** and the **State Program of Primary Support to the Reintegration of Citizens Returning to the Republic of Armenia**. However, they have not been adopted by the Government by the end of 2019.

Despite the fact that non-governmental, international, and governmental organizations took some steps **to raise public awareness of migration issues** in the course of 2019, a key challenge that Armenia continues to face in the migration sphere is the lack of public awareness of the risks and consequences of irregular migration. Such campaigns help potential migrants to be more informed and to take informed decisions, because they often lack information or have to rely on false information. We reiterate our recommendation on **carrying our regular awareness-raising activities not only in Armenia, but also abroad, whenever possible, among Armenians that have irregular status**.

⁹⁰ Eurostat.

⁹¹ 5th Monitoring Report on the Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas, p. 90.

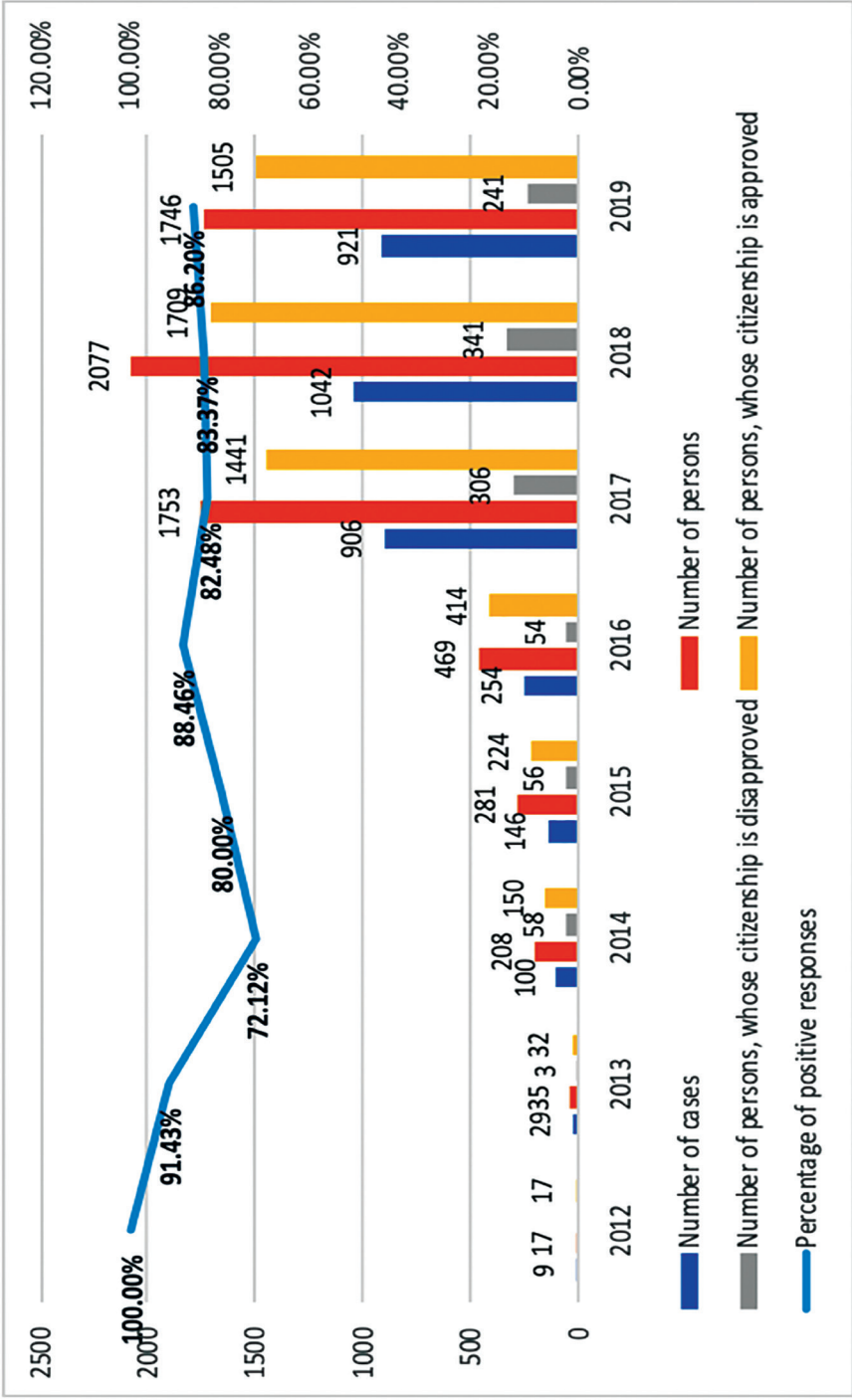
http://eapmigrationpanel.org/sites/default/files/5th_monitoring_report_eu-arm-visa-readmission.pdf?utm_source=News%20Digest%20Issue%2049&utm_medium=email&utm_campaign=News%20Digest%20Issue%2049

It is important to provide clear information and to raise public awareness of the steps currently being taken by the Armenian Government towards the launch of the EU Visa Liberalisation Dialogue and the expectations in this area, whilst also preparing the public by disseminating information on the possibilities of visa-free travel and the consequences of breaching the applicable procedures.

Readmission Statistics By Country, From 01.01.2019 To 31.12.2019						
	State	Number of Cases	Number of Persons	Number of cases with approved citizenship	number of cases with disapproval	The % of positive replies
	a) EU & EEA countries	870	1656	1444	212	87.20%
1	Austria	48	96	60	36	62.50%
2	Bulgaria	1	1	1	0	100.00%
3	Belgium	19	29	26	3	89.66%
4	Finland	1	1	1	0	100.00%
5	Germany	587	1182	1043	139	88.24%
6	Poland	16	24	23	1	95.83%
7	The Netherlands	29	42	36	6	85.71%
8	Sweden	41	94	80	14	85.11%
9	Switzerland	1	4	4	0	100.00%
10	France	127	183	170	13	92.90%
	B) EEU countries					
1	Russia	51	90	61	29	67.78%
	Total	921	1746	1505	241	86.20%

Annex 2

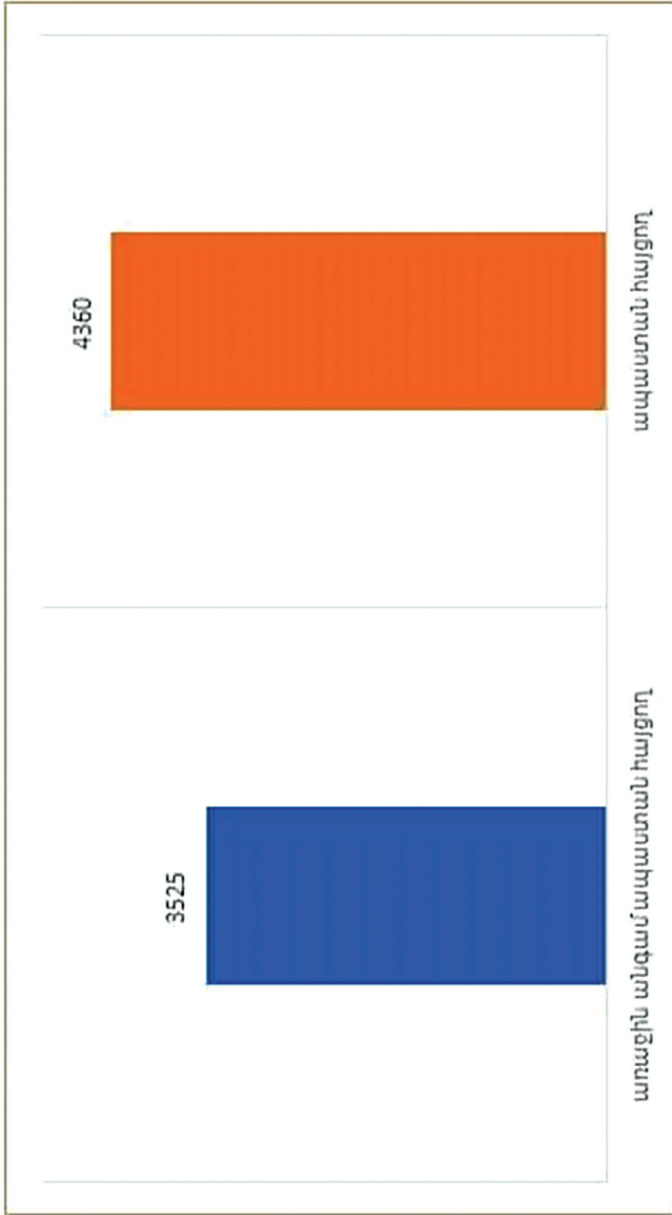
Number of Readmission Requests, 2012-2019



Annex 3



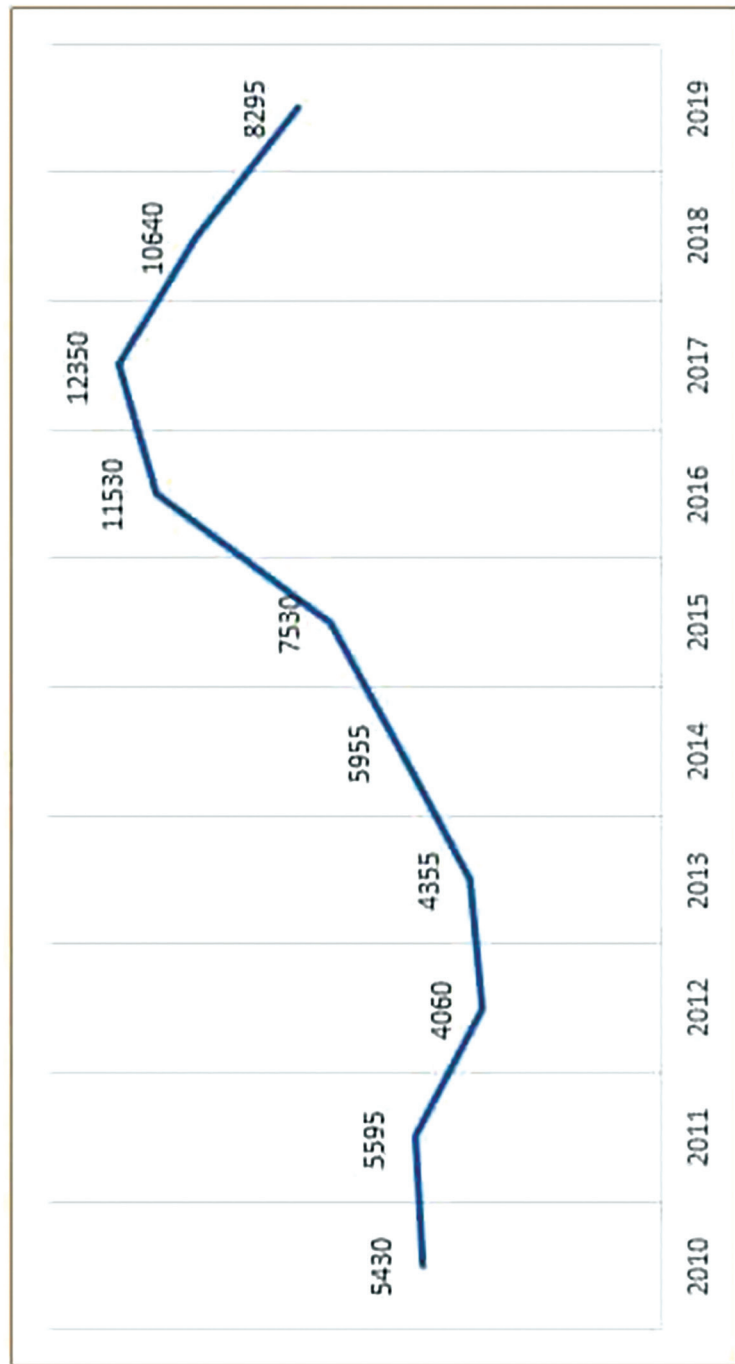
2019թ. ԵՄ (28) 7 ԵԱԱԸ (4) անդամ պետություններում
ապաստան հայցած ՀՀ քաղաքացիների թիվը



Աղբյուր՝ Eurostat database, Asylum and first time asylum applicants by citizenship, age and sex Annual aggregated data



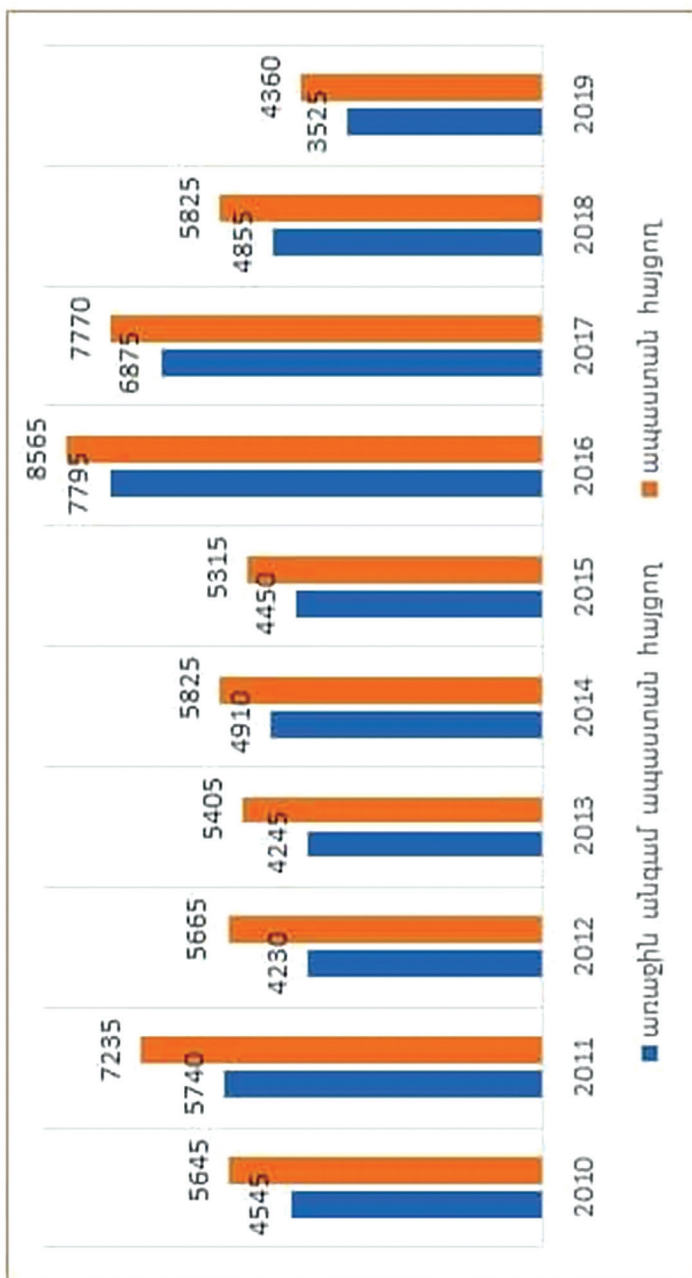
ԵՄ (28) 7 ԵԱԱԸ (4) անդամ պետություններում տարեկերջի դրությամբ ապաստանի ընթացիկ հայցերում ընդգրկված ՀՀ քաղաքացիների թվի դինամիկան 2010 – 2019թթ.



Աղբյուրը՝ Eurostat database, Asylum and first-time asylum applicants by citizenship, age and sex: Annual aggregated data



ԵՄ (28) 7 ԵԱԱԸ (4) անդամ պետություններում ապաստան հայցած ՀՀ քաղաքացիների թվի դինամիկան 2010 – 2019թթ.



Աղբյուրը՝ Eurostat database, Asylum and first-time asylum applicants by citizenship, age and sex: Annual aggregated data

Conclusion

Parallel to the visa facilitation process, and in order to carry out systemic assessment of the effectiveness of the Agreements, as well as to deepen the Armenia–EU cooperation in this sphere, it is necessary to monitor the visa issuance process, including the visa refusals, the citizens refused entry on the EU border, the number of Armenian citizens arrested while staying unlawfully in EU territory, and the number of Armenian citizens seeking asylum in the EU. It is also necessary to carry out comparative analysis of the number of decisions to return to Armenia and the number of returned persons. The monitoring provides comprehensive information within the same analysis.

Hopefully, the analysis, conclusions, and recommendations presented in this Study will help to develop the EU–Armenia relationship and serve as a basis for launching the EU–Armenia visa dialogue and subsequently reaching a visa-free regime, and more importantly, support the implementation of reforms and the deepening of cooperation in a number of areas, including migration, readmission, human rights, personal data protection, and other related fields.

We highly appreciate the willingness of the Migration Service under the Ministry of Territorial Administration and Development to cooperate and the detailed response to our inquiry, as well as the active involvement of its representatives in our events.

MONITORING REPORT

Agreement between the European Union and the Republic of Armenia on the Facilitation of the Issuance of Visas

(6th monitoring)

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