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2026/0092 (NLE)

Proposal for a

COUNCIL IMPLEMENTING DECISION

on repealing Implementing Decision (EU) 2024/1341 on the suspension of certain provisions of Regulation (EC) No 810/2009 of the European Parliament and of the Council in respect of Ethiopia

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

In accordance with Article 25a(2) of Regulation (EC) No 810/2009 (the “Visa Code”)¹, the Commission shall regularly assess third countries' cooperation on readmission and report to the Council at least once a year.

Based on the 4th assessment on cooperation, adopted in 2023 and covering the reference year 2022, and taking into account the steps taken by the Commission to improve the level of cooperation of the third country concerned in the field of readmission and the Union's overall relations with the third country concerned, the Commission concluded that Ethiopia did not cooperate sufficiently and that action was therefore necessary. On 27 September 2023, in accordance with point (a) of Article 25a(5) of the Visa Code, the Commission adopted a proposal for a Council Implementing Decision suspending the application of provisions in Article 14(6), point (b) of Article 16(5), Article 23(1), and Articles 24(2) and (2c) of the Visa Code in respect of nationals of Ethiopia. The Council adopted Implementing Decision (EU) 2024/1341 on 29 April 2024².

In accordance with Article 25a(6) of the Visa Code, the Commission shall continuously assess and report, on the basis of the indicators set out in paragraph 2 of that Article, whether substantial and sustained improvement in the cooperation with the third country concerned can be established and, taking also account of the Union's overall relations with that third country, may submit a proposal to the Council to repeal or amend the implementing decisions referred to in paragraph 5 of that Article.

Based on the 6th annual assessment on cooperation adopted in 2025³ and covering reference year 2024, the Commission took note of the substantial action taken by Ethiopia and the positive trend in improving cooperation, which needed to turn into sustained progress.

Based on the continuous assessment of cooperation, including in the relevant technical expert and Council working groups, and on the sustained progress noted in the 6th Joint Working Group held on 18 February 2026, the Commission considers that since the entry into force of Council Implementing Decision (EU) 2024/1341, substantial and sustained improvement in the cooperation on readmission can be established in the identification of Ethiopian nationals illegally staying on the territory of the Member States, in the issuance of emergency travel documents and in the regular organisation of return operations. Therefore, the Commission considers it appropriate to table a proposal for a Council Implementing Decision repealing Council Implementing Decision (EU) 2024/1341.

The case of Ethiopia

In February 2018 the EU concluded a non-binding readmission arrangement with Ethiopia (“Admission procedure for the return of Ethiopians from European Union Member States”). Since then, six Joint Working Group meetings have taken place to monitor the implementation of the agreement.

¹ 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), OJ L 243, 15.9.2009, p. 1.

² COUNCIL IMPLEMENTING DECISION (EU) 2024/1341 of 29 April 2024 on the suspension of certain provisions of Regulation (EC) No 810/2009 of the European Parliament and of the Council in respect of Ethiopia.

³ COM(2025) 416 final of 15 July 2025.

In the 4th Article 25a report of 2023, the Commission considered that Ethiopia's cooperation on readmission in 2022 was insufficient. There were persistent challenges in the identification of Ethiopian nationals illegally staying on the territory of the Member States due to the lack of response from the Ethiopian authorities with regard to readmission requests, difficulties with the issuance of emergency travel documents, including when the nationality had previously been confirmed, and difficulties with the organisation of return operations for voluntary and forced returns on scheduled and charter flights.

Despite efforts to intensify the engagement on readmission and the provision of technical assistance by the EU, cooperation on readmission with Ethiopia had not improved. The EU conveyed to Ethiopia clear messages about the need to improve cooperation in readmitting its nationals with no right to stay in the EU Member States and to fully implement the readmission arrangement, including through the swift identification and issuance of emergency travel documents for all returns, including forced ones. Due to the lack of improvement despite continuous steps taken by the Commission and taking into account the EU's overall relations with Ethiopia, it was considered that Ethiopia's cooperation with the EU on readmission was not sufficient and that further action was needed. The Commission therefore proposed visa measures in September 2023, which were adopted by the Council in April 2024.

In the 6th Article 25a report, adopted in July 2025 and covering reference year 2024, the Commission took note of the substantial action taken by Ethiopia and the positive trend in improving cooperation which needed to turn into sustained progress. Ethiopia restarted processing forced return cases and issuing emergency travel documents with appropriate validity (as indicated in the readmission arrangement) and improved its responsiveness towards Member States' authorities. Three identification missions took place in 2024 and one in 2025, with positive results regarding confirmation of nationality and improving timelines for the communication of results, and the commitment provided to Member States that emergency travel documents would be issued upon request for all cases. The first charter flight operation since 2021 took place in December 2024 and cooperation via charter flights has continued in the course of 2025. In December 2025, a successful training on nationality verification techniques was organised by the EU in Brussels, for Ethiopia's national administration and consulates in Europe.

On the basis of all of the above, the Commission considers that substantial and sustained improvement in the cooperation on readmission can be established and is proposing to repeal Council Implementing Decision 2024/1341.

The Union's overall relations with Ethiopia

Ethiopia is a key country for stability in the Horn of Africa. It is the second most populated country in Africa (110 million inhabitants) and a host of over 1.1 million refugees from the region. There has been internal conflict in Ethiopia since November 2020, which led to the signing on 2 November 2022 of the Permanent Cessation of Hostilities Agreement in Pretoria, South Africa. During the critical stage of the conflict in Sudan that broke out in April 2023, the Ethiopian authorities provided substantial assistance with visa issuance and facilities at the border during the evacuation of the EU nationals from Sudan.

The country enjoys duty-free and quota-free access to the European market under the "Everything but Arms" scheme.

Ethiopia is a member of the Intergovernmental Authority on Development and a member of the Steering Committee of the Khartoum Process. Ethiopia is a party to the Samoa Agreement. Ethiopia is an important partner for the European Union, with a longstanding

partnership dating back over 40 years. In 2016, the EU and Ethiopia signed a “Strategic Engagement”, committing both sides to close cooperation in areas ranging from regional peace and security to trade and investment, and including migration and forced displacement. The EU assists Ethiopia through the Multi-annual Indicative Programme (MIP) for Ethiopia 2024-2027, initially set at EUR 650 million and revised to EUR 609 million after a mid-term review. This initiative marks a significant progression in the EU's engagement with Ethiopia, transitioning from crisis response and reconstruction support to a sustainable, long-term investment partnership. It covers 3 priority areas: Green Deal, Human Development (including migration and forced displacement) and Governance / Peacebuilding.

- **Consistency with existing policy provisions in the policy area**

The proposed decision is consistent with the Visa Code setting the harmonised rules of the common visa policy governing the procedures and conditions for issuing visas for intended stays on the territory of the Member States not exceeding 90 days in any 180-day period. The proposed decision is also consistent with the previous proposal to establish the measures⁴.

- **Consistency with other Union policies**

The EU promotes a comprehensive approach on migration and forced displacement, based on shared values and responsibilities. The New Pact on Migration and Asylum foresees developing and deepening tailor-made comprehensive and balanced partnerships to foster co-operation on all relevant aspects:

- Providing protection to those in need of it and support to host countries and communities;
- Building economic opportunity and addressing the root causes of irregular migration and forced displacement;
- Supporting partners to strengthen migration governance and management;
- Fostering cooperation on return and readmission;
- Developing legal pathways to Europe.

The cooperation between Member States and third countries on the readmission of illegally staying third country nationals is an important element of this policy. In the Council conclusions of October 2024, the European Council called for determined action at all levels to facilitate, increase and speed up returns from the European Union, using all relevant EU policies, instruments and tools, including diplomacy, development, trade and visas⁵.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Legal basis**

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), Article 25a(6).

⁴ Commission proposal for a COUNCIL IMPLEMENTING DECISION on the suspension of certain provisions of Regulation (EC) 810/2009 of the European Parliament and of the Council with respect to Ethiopia, COM(2023) 568 final 2023/0344.

⁵ EUCO 25/24.

- **Subsidiarity (for non-exclusive competence)**

n.a.

- **Proportionality**

The purpose of the proposed measure is to repeal the visa measures, acknowledging the substantial and sustained progress in cooperation achieved by Ethiopia, notably in relation to the shortcomings identified, and to the intensity of the efforts. The measure is proportionate to the objective pursued.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

n.a.

- **Stakeholder consultations**

n.a.

- **Collection and use of expertise**

n.a.

- **Impact assessment**

n.a.

- **Regulatory fitness and simplification**

n.a.

- **Fundamental rights**

The repeal of the visa measures means that visa applications will again be processed under the standard rules of the Visa Code, hence fundamental rights will not be affected.

4. BUDGETARY IMPLICATIONS

n.a.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

n.a.

- **Explanatory documents (for directives)**

n.a.

- **Detailed explanation of the specific provisions of the proposal**

Article 1 sets out that Council Implementing Decision (EU) 2024/1341 of 29 April 2024 on the suspension of certain provisions of Regulation (EC) No 810/2009 with respect to Ethiopia is repealed.

Article 2 contains the list of addressees of the proposed decision, i.e. the relevant Member States.

Proposal for a

COUNCIL IMPLEMENTING DECISION

on repealing Implementing Decision (EU) 2024/1341 on the suspension of certain provisions of Regulation (EC) No 810/2009 of the European Parliament and of the Council in respect of Ethiopia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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)⁶, and in particular Article 25a(6) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Ethiopia's cooperation on readmission in 2022 was assessed as insufficient in accordance with Article 25a(2) of Regulation (EC) No 810/2009. Significant improvements in the cooperation on all the steps of the readmission process were needed, including to ensure that Ethiopia effectively cooperates on identification and issuance of travel documents, as well as on return operations, with all Member States in a timely and predictable manner.
- (2) Taking into account the steps taken by the Commission to improve the level of cooperation, and the Union's overall relations with Ethiopia, it was considered that action by the Union was necessary.
- (3) Council Implementing Decision (EU) 2024/1341⁷ temporarily suspended the application of certain provisions of Regulation (EC) No 810/2009 with respect to nationals of Ethiopia. The objective was to encourage Ethiopia to undertake the necessary actions to improve cooperation on readmission.
- (4) The provisions temporarily suspended were those referred to in Article 25a(5), point (a), of Regulation (EC) No 810/2009: suspension of the possibility of waiving requirements with regard to the documentary evidence to be submitted by visa applicants referred to in Article 14(6), suspension of the general 15 calendar days processing period referred to in Article 23(1), which as a consequence also excludes the application of the rule allowing the extension of this period up to a maximum of 45 days only in individual cases, meaning that 45 days becomes the standard processing period, suspension of the issuing of multiple-entry visas in accordance with Article 24(2) and (2c), and suspension of the optional visa fee waiver for holders of diplomatic and service passports in accordance with Article 16(5), point (b).

⁶ OJ L 243, 15.9.2009, p. 1.

⁷ COUNCIL IMPLEMENTING DECISION (EU) 2024/1341 of 29 April 2024 on the suspension of certain provisions of Regulation (EC) No 810/2009 of the European Parliament and of the Council in respect of Ethiopia.

- (5) The Commission's continuous assessment of Ethiopia's cooperation on readmission since the entry into force of Council Implementing Decision (EU) 2024/1341 indicates that a substantial and sustained improvement in the cooperation on readmission can be established in the identification of Ethiopian nationals illegally staying on the territory of the Member States, in the issuance of emergency travel documents and in the regular organisation of return operations. Therefore, it is no longer necessary to apply visa measures to nationals of Ethiopia and Implementing Decision (EU) 2024/1341 should be repealed.
- (6) In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Decision and is not bound by it or subject to its application. Given that this Decision builds upon the Schengen acquis, Denmark is to, in accordance with Article 4 of that Protocol, decide within a period of six months after the Council has decided on this Decision whether it will implement it in its national law.
- (7) This Decision constitutes a development of provisions of the Schengen acquis in which Ireland does not take part, in accordance with Council Decision 2002/192/EC⁸; Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (8) As regards Iceland and Norway, this Decision constitutes a development of provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis⁹ which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC¹⁰.
- (9) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis¹¹ which fall within the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC¹².
- (10) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen acquis within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation

⁸ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis (OJ L 64, 7.3.2002, p. 20).

⁹ OJ L 176, 10.7.1999, p. 36.

¹⁰ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen acquis (OJ L 176, 10.7.1999, p. 31).

¹¹ OJ L 53, 27.2.2008, p. 52.

¹² Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis (OJ L 53, 27.2.2008, p. 1).

on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis¹³ which fall within the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU¹⁴.

- (11) As regards Cyprus, this Decision constitutes an act building upon, or otherwise relating to, the Schengen acquis within the meaning of Article 3(2) of the 2003 Act of Accession,

HAS ADOPTED THIS DECISION:

Article 1

Council Implementing Decision (EU) 2024/1341 is repealed.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Republic of Croatia, the Czech Republic, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, and the Kingdom of Sweden.

Done at Brussels,

For the Council
The President

¹³ OJ L 160, 18.6.2011, p. 21.

¹⁴ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).