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Council amends list of non-EU countries whose nationals are exempt from the visa requirement

The Council adopted today¹ a regulation amending Council Regulation 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ([PE-CONS 29/14](#)).

According to the amended regulation the nationals from **Colombia, Dominica, Grenada, Kiribati, Marshall Islands, Micronesia, Nauru, Palau, Peru, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Solomon Islands, Timor-Leste, Tonga, Trinidad and Tobago, Tuvalu, the United Arab Emirates and Vanuatu** will be exempt from the visa requirement when travelling to the Schengen zone. **This exemption will come into force only when bilateral agreements on visa waiver between the Union and the countries concerned have been concluded** in order to ensure full reciprocity.

The evolving nature of the EU's visa policy and the increased need to ensure more coherence between visa policy and other EU policies justify that some additional criteria be taken into account when reviewing the lists of countries in Annexes I (countries subject to the visa requirement) and II (countries exempt from that requirement) to the regulation.

¹ At a meeting of the Economic and Financial Affairs Council.

P R E S S

To this end, the amending regulation inserts a new article in Regulation 539/2001 stating that the purpose of the latter is to determine those third countries whose nationals are subject to or exempt from the visa requirement, based on a case-by-case assessment of a variety of criteria relating, inter alia, to illegal immigration, public policy and security, the economic benefits, in particular in terms of tourism and foreign trade, and the Union's external relations with the relevant third countries including, in particular, human rights and fundamental freedoms considerations, as well as the implications of regional coherence and reciprocity.

Regarding **Colombia** and **Peru**, the amended regulation states that the Commission will further assess the situation of both countries with regard to the criteria set out in the new article before the opening of negotiations on bilateral agreements on visa waiver.

Council Regulation 539/2001 was recently amended to introduce a new safeguard clause ("suspension mechanism") allowing the temporary reintroduction of the visa requirement - in specific circumstances- for nationals of a third country who can normally travel to the European Union without a visa (countries listed in Annex II of the regulation). The new rules also strengthened the retaliation mechanism towards a breach of reciprocity by a third country ("reciprocity mechanism"), i.e. how to deal with situations where a country listed in Annex II reintroduces a visa requirement for nationals of a particular or of several member states ([see press release](#)).
