

Visas: nationals of a Member State, reciprocity mechanism to be used by a third country on the list in Annex II

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This "Seventh report on certain third countries' maintenance of visa requirements in breach of the principle of reciprocity" has been drawn up by the European Commission in accordance with Council Regulation (EC) 851/2005 amending [Council Regulation \(EC\) 539/2001](#). Regulation (EC) 539/2001 lists the third countries whose nationals must be in possession of visas when crossing the external borders of the Member States ('negative' list), and those whose nationals are exempt from that requirement as regards the reciprocity mechanism ('positive' list)

In the framework of this mechanism, where a third country on the positive list introduces a visa requirement for citizens of one or more Member States, the Commission must take steps to obtain the restoration of the visa-free travel by the third country concerned and it must provide a **report** to the Council which may be accompanied by a proposal on the temporary restoration of the visa requirement for nationals of the third country concerned. In addition, the Commission must provide bi-annual reports to the European Parliament and the Council on the situation of non-reciprocity which may be accompanied by appropriate proposals, if necessary.

The previous six regular visa reciprocity reports adopted by the Commission show that **the current reciprocity mechanism has proven to be quite efficient** and that only a very limited number of "non-reciprocity cases" continue to exist.

In this Seventh report, the Commission states that it is pleased that in the context of the implementation of the current visa reciprocity mechanism, **full visa reciprocity was achieved or is within reach with further third countries:**

- full visa reciprocity was achieved for all Member States with **Brunei Darussalam**, further to the decision adopted by the authorities of Brunei Darussalam to extend the visa waiver to 90 days; since 15 October 2012, citizens of Iceland, Norway and Switzerland also enjoy a 90-day visa-free stay in Brunei Darussalam. The Commission will now request the authorities of Brunei Darussalam to extend the visa waiver to 90 days also for citizens of Liechtenstein;
- the **EU-Brazil short stay visa waiver agreement** for ordinary passport holders entered into force on 1 October 2012, enabling the citizens of all Member States to travel visa-free to Brazil;
- the Commission welcomes the **decision by the Japanese authorities to extend the temporary visa waiver granted for Romanian citizens until 31 December 2012** and expects that, further to the implementation of specific measures to be agreed between Romania and Japan, the temporary visa waiver will be converted by Japan into a permanent one.

As regards the U.S., the proposed new draft Visa Waiver Program (VWP) legislation, if adopted, could open the way for additional Member States to join the VWP and thus achieve further substantial progress towards full visa reciprocity with the U.S.

As regards the re-introduction by **Canada** of a visa requirement for Czech citizens, the Commission regrets that Canada did not provide to the Commission its report on the data gathering visit to the Czech

Republic until now and thus it has *de facto* hindered the cooperation in the framework of the Czech-Canada experts' working group.

The Commission is looking forward to the adoption by the European Parliament and the Council of its 2011 [proposal](#) to amend Regulation amending Regulation 539/2001, which aims, *inter alia*, to establish a new, more efficient reciprocity mechanism. Once adopted, both the few remaining and any new cases of non-reciprocity will be examined and acted upon by the Commission in accordance with this revised reciprocity mechanism.