

# Third countries whose nationals are subject to or exempt from a visa requirement: Turkey

2016/0141(COD) - 04/05/2016 - Legislative proposal

**PURPOSE:** to amend Council Regulation (EC) No 539/2001 in order to allow Turkish nationals to be exempted from the visa requirement when travelling to the EU Member States.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** [Council Regulation \(EC\) No 539/2001](#) lists the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States and those whose nationals are exempt from that requirement. It is applied by all Member States – with the exception of Ireland and the United Kingdom – and also by Iceland, Liechtenstein, Norway and Switzerland.

**Turkey is currently listed in Annex I of Regulation (EC) No 539/2001**, i.e. among those countries whose nationals are required to hold a visa when travelling to the territory of EU Member States.

On 16 December 2013 the European Union (EU) and Turkey launched the Visa Liberalisation Dialogue (VLD), in parallel with the signature of the EU-Turkey Readmission Agreement.

The dialogue is based on the **Roadmap** towards a visa free regime with Turkey, a document setting out the requirements that Turkey needs to meet in order to allow Turkish citizens holding biometric passports in line with EU standards to travel to the Member States without a visa for short stays (i.e. up to 90 days within any 180-day period).

Following the EU-Turkey Summits on 29 November 2015 and on 18 March 2016, it was agreed that the fulfilment of the visa liberalisation roadmap will be accelerated vis-à-vis all participating Member States with a view to lifting the visa requirements for Turkish nationals at the latest by the end of June 2016.

The Commission invites the Turkish authorities to urgently undertake the measures that are necessary to **fulfil the other outstanding benchmarks** of the Roadmap, namely:

- upgrading the existing biometric passports;
- fully implementing the provisions of the EU-Turkey readmission agreement;
- adopting the measures to prevent corruption;
- aligning the legislation on personal data protection to EU standards;
- negotiating an operational cooperation agreement with Europol;
- offering effective judicial cooperation in criminal matters to all EU Member States;
- revising the legislation and practices on terrorism in line with European standards.

On the understanding that the Turkish authorities shall fulfil, as a matter of urgency and as they committed to do so on 18 March 2016, the outstanding benchmarks of the Roadmap, the Commission has decided to present the proposal to amend Regulation (EC) No 539/2001 to lift the visa requirement for Turkish citizens who are holders of a biometric passport in line with EU standards.

CONTENT: the Commission proposes to amend Regulation (EC) No 539/2001 by **transferring Turkey from Annex I (list of visa-required countries) to Annex II (list of visa-free countries)**. In line with the Roadmap, a footnote will be added specifying that the visa exemption applies to holders of **biometric passports** issued in line with the standards of [Council Regulation \(EC\) No 2252/2004](#), in particular with encryption of fingerprints by Supplementary Access Control (SAC).

Turkey has informed the Commission that it will complete all necessary reforms to issue fully EU-compliant biometric passports by the end of 2016. Therefore the visa exemption will exceptionally also apply to holders of biometric passports to be issued in line with standards of the International Civil Aviation Organisation (ICAO), provided that they were issued between 1 June 2016 and 31 December 2016. This exception will expire on 31 December 2017.