

Third countries whose nationals are subject to or exempt from a visa requirement when crossing the external borders. Codification

2018/0066(COD) - 02/10/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 611 votes to 20, with 11 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council 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 (codification).

The European Parliament adopted its position at first reading, **taking over the Commission proposal** as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission.

The Advisory Group concluded that the proposal was limited to a **straightforward codification** of the existing texts, without any change in substance.

The proposed Regulation **lists the third countries whose nationals must hold a visa or are exempt from the visa requirement** when crossing the external borders of the European Union (EU). It provides a common list of countries whose nationals must hold visas when crossing the external borders of a Member State (Annex I). It also lists the countries whose nationals are exempt from the visa requirement (Annex II) for stays of up to 90 days in any 180-day period.

Decisions to amend the lists would be taken on the basis of a **case-by-case assessment of various criteria** relating to, *inter alia*:

- illegal immigration, public policy and security;
- economic benefit, in particular in terms of tourism and foreign trade ;
- the Union's external relations with the relevant third countries, including, in particular, considerations of human rights and fundamental freedoms, as well as the implications of regional coherence and reciprocity.

It also provides for:

- the possibility for Member States to grant **exceptions** to the visa requirement for certain categories of persons and the exemption from the visa requirement for recognised refugees and stateless persons if the third country where they reside and which issued their travel document to them is one of the third countries listed in Annex II;
- a **Union mechanism enabling the principle of reciprocity** to be implemented if one of the third countries included in the list in Annex II decides to make the nationals of one or more Member States subject to a visa requirement;
- a **mechanism for the temporary suspension** of the exemption from the visa requirement for a third country included in the list in Annex II ('the suspension mechanism') in an emergency situation, where an urgent response is needed in order to solve the difficulties faced by at least one Member State, and taking the overall impact of the emergency situation on the Union as a whole into account.