Third countries whose nationals are subject to or exempt from a visa requirement (Visa Regulation)

2000/0030(CNS) - 04/12/2000 - Amended legislative proposal for reconsultation

With regard to visa requirements and exemption for third country nationals, the proposed Council regulation for re-consultation states the following: - the determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia, to illegal immigration, public policy and security, and the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity; - provision should be made for a Community mechanism enabling this principle of reciprocity to be implemented if one of the third countries included in Annex II to the proposed Regulation decides to make the nationals of one or more Member States subject to visa obligation; - as regards stateless persons and recognised refugees, the decision as to the visa requirement or exemption should be based on the third country in which these persons reside and which issued their travel document. However, given the differences in the national legislation applicable to stateless persons and to recognised refugees, Member States may decide whether these categories of persons shall be subject to the visa requirement, where the third country in which these persons reside and which issued their travel documents is a third country whose nationals are exempt from the visa requirement; - in specific cases where special visa rules are warranted, Member States may exempt certain categories of persons from the visa requirement or impose it on them in accordance with public international law or custom; - the conditions governing entry into the territory of the Member States or the issue of visas do not affect the rules currently governing recognition of the validity of travel documents; - finally, the application of the exemption from the visa requirement for nationals of certain third countries, which are listed in Annex II, will come into force only later. To this end, the Council will take a decision for each of those countries on the basis of reports drawn up by the Commission.