



Council of the
European Union

Brussels, 15 March 2018
(OR. en)

Interinstitutional File:
2018/0066 (COD)

7212/18
ADD 1

CODIF 8
CODEC 397
VISA 52

PROPOSAL

| | |
|------------------|--|
| From: | Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director |
| date of receipt: | 14 March 2018 |
| To: | Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union |
| No. Cion doc.: | COM(2018)139 final |
| Subject: | ANNEXES to 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) |

Delegations will find attached document COM(2018)139 final - Annexes 1 to 4.

Encl.: COM(2018)139 final - Annexes 1 to 4



Brussels, 14.3.2018
COM(2018) 139 final

ANNEXES 1 to 4

ANNEXES

to 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)**

↓ 539/2001 (adapted)

ANNEX I

⊗ **List of third countries whose nationals are required to be in possession of a visa when crossing the external borders of the Member States** ⊗

1. STATES

Afghanistan

Algeria

Angola

Armenia

Azerbaijan

Bahrain

Bangladesh

Belarus

Belize

Benin

Bhutan

↓ Corrigendum, OJ L 29,
3.2.2007, p. 10

Bolivia

↓ 539/2001 (adapted)

Botswana

Burkina Faso

Burundi

Cambodia

Cameroon

Cape Verde

Central African Republic

Chad

China

☒ Comoros ☒

Congo

Côte d'Ivoire

Cuba

Democratic Republic of the Congo

Djibouti

Dominican Republic

↓ 453/2003 Art. 1.1(b)

Ecuador

↓ 539/2001 (adapted)

Egypt

Equatorial Guinea

Eritrea

Ethiopia

Fiji

Gabon

Gambia

Ghana

Guinea

Guinea-Bissau

Guyana

Haiti

India

Indonesia

Iran

Iraq
Jamaica
Jordan
Kazakhstan
Kenya
Kuwait
Kyrgyzstan
Laos
Lebanon
Lesotho
Liberia
Libya
Madagascar
Malawi
Maldives
Mali
Mauritania
Mongolia
Morocco
Mozambique
☒ Myanmar/Burma ☒
Namibia
Nepal
Niger
Nigeria
North Korea
Oman

Pakistan
Papua New Guinea
Philippines
Qatar
Russia
Rwanda
São Tomé and Príncipe
Saudi Arabia
Senegal
Sierra Leone
Somalia
South Africa

↓ 509/2014 Art. 1.2(a)

South Sudan

↓ 539/2001 (adapted)

Sri Lanka
Sudan
Suriname
Swaziland
Syria
Tajikistan
Tanzania
Thailand
Togo
Tunisia
Turkey
Turkmenistan

Uganda

Uzbekistan

Vietnam

Yemen

Zambia

Zimbabwe

2. ENTITIES AND TERRITORIAL AUTHORITIES THAT ARE NOT RECOGNISED AS STATES BY AT LEAST ONE MEMBER STATE

↓ 1244/2009 Art. 1.1(b)

Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999

↓ 539/2001

Palestinian Authority

↓ 539/2001 (adapted)

ANNEX II

☒ List of third countries whose nationals are exempt from the requirement to be in possession of a visa when crossing the external borders of the Member States for stays of no more than 90 days in any 180-day period ☒

1. STATES

↓ 1091/2010 Art. 1.2 (adapted)

Albania¹

↓ 539/2001

Andorra

↓ Corrigendum, OJ L 29,
3.2.2007, p. 10 (adapted)

Antigua and Barbuda

↓ 539/2001

Argentina

Australia

↓ Corrigendum, OJ L 29,
3.2.2007, p. 10 (adapted)

Bahamas

Barbados

↓ 1091/2010 Art. 1.2 (adapted)

Bosnia and Herzegovina²

↓ 539/2001

Brazil

¹ The exemption from the visa requirement ☒ shall only apply ☒ to holders of biometric passports.

² The exemption from the visa requirement ☒ shall only apply ☒ to holders of biometric passports.

| | |
|--|---|
| Brunei | ↓ Corrigendum, OJ L 29, 3.2.2007, p. 10 (adapted) |
| Canada | ↓ 539/2001 |
| Chile | |
| Colombia | ↓ 509/2014 Art. 1.3(a) (adapted) |
| Costa Rica | ↓ 539/2001 |
| Dominica ³ | ↓ 509/2014 Art. 1.3(a) |
| ⊗ El Salvador ⊗ | ↓ 539/2001 (adapted) |
| former Yugoslav Republic of Macedonia ⊗ ⁴ ⊗ | ↓ 1244/2009 Art. 1.2 (adapted) |
| Georgia ⁵ | ↓ 2017/372 Art. 1(b) |
| Grenada ⁶ | ↓ 509/2014 Art. 1.3(a) |

³ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

⁴ The exemption ⊗ from the visa requirement shall only apply ⊗ to holders of biometric passports.

⁵ The visa waiver shall be limited to the holders of biometric passports issued by Georgia in line with standards of the International Civil Aviation Organisation (ICAO).

⁶ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

| | |
|-------------------------------|---|
| Guatemala | ↓ 539/2001 (adapted) |
| ☒ the ☒ Holy See | |
| Honduras | |
| Israel | ↓ 539/2001 |
| Japan | |
| Kiribati ⁷ | ↓ 509/2014 Art. 1.3(a) |
| Malaysia | ↓ 539/2001 |
| Marshall Islands ⁸ | ↓ 509/2014 Art. 1.3(a) |
| Mauritius | ↓ Corrigendum, OJ L 29, 3.2.2007, p. 10 (adapted) |
| Mexico | ↓ 539/2001 |
| Micronesia ⁹ | ↓ 509/2014 Art. 1.3(a) |
| Moldova ☒ ¹⁰ ☒ | ↓ 259/2014 Art. 1.2 (adapted) |

⁷ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

⁸ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

⁹ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

| | |
|--|---|
| Monaco | ↓ 539/2001 |
| Montenegro <input checked="" type="checkbox"/> ¹¹ <input checked="" type="checkbox"/> | ↓ 1244/2009 Art. 1.2 (adapted) |
| Nauru ¹² | ↓ 509/2014 Art. 1.3(a) |
| New Zealand | ↓ 539/2001 |
| Nicaragua | |
| Palau ¹³ | ↓ 509/2014 Art. 1.3(a) |
| Panama | ↓ 539/2001 |
| Paraguay | |
| Peru ¹⁴ | ↓ 509/2014 Art. 1.3(a) |
| Saint Kitts and Nevis | ↓ Corrigendum, OJ L 29, 3.2.2007, p. 10 |

¹⁰ The exemption from the visa requirement shall be limited to the holders of biometric passports issued in line with standards of the International Civil Aviation Organisation (ICAO).

¹¹ The exemption from the visa requirement shall only apply to holders of biometric passports.

¹² The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

¹³ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

¹⁴ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

| | |
|--|--|
| <p>Saint Lucia¹⁵</p> <p>Saint Vincent and the Grenadines¹⁶</p> <p>Samoa</p> | <p>↓ 509/2014 Art. 1.3(a) (adapted)</p> |
| <p>San Marino</p> | <p>↓ 539/2001</p> |
| <p>Serbia (excluding holders of Serbian passports issued by the Serbian Coordination Directorate (in Serbian: <i>Koordinaciona uprava</i>)) ☒¹⁷ ☒</p> | <p>↓ 1244/2009 Art. 1.2 (adapted)</p> |
| <p>Seychelles</p> | <p>↓ Corrigendum, OJ L 29, 3.2.2007, p. 10 (adapted)</p> |
| <p>Singapore</p> | <p>↓ 539/2001</p> |
| <p>Solomon Islands</p> | <p>↓ 509/2014 Art. 1.3(a) (adapted)</p> |
| <p>South Korea</p> | <p>↓ 539/2001</p> |
| <p>Timor-Leste¹⁸</p> <p>Tonga¹⁹</p> | <p>↓ 509/2014 Art. 1.3(a) (adapted)</p> |

¹⁵ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

¹⁶ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

¹⁷ The exemption ☒ from the visa requirement shall only apply ☒ to holders of biometric passports.

¹⁸ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

¹⁹ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

Trinidad and Tobago

Tuvalu²⁰

↓ 2017/850 Art. 1(b) (adapted)

Ukraine²¹

↓ 509/2014 Art. 1.3(a)

United Arab Emirates²²

↓ 539/2001 (adapted)

United States

Uruguay

↓ 509/2014 Art. 1.3(a)

Vanuatu²³

↓ 539/2001 (adapted)

Venezuela

²⁰ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

²¹ The visa waiver shall be limited to the holders of biometric passports issued by Ukraine in line with standards of the International Civil Aviation Organisation (ICAO).

²² The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

²³ The exemption from the visa requirement shall apply from the date of entry into force of an agreement on visa exemption to be concluded with the European Union.

2. SPECIAL ADMINISTRATIVE REGIONS OF THE PEOPLE'S REPUBLIC OF CHINA

Hong Kong SAR ²⁴

Macao SAR ²⁵

↓ 509/2014 Art. 1.3(b)

3. BRITISH CITIZENS WHO ARE NOT NATIONALS OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR THE PURPOSES OF UNION LAW

British nationals (Overseas)

British overseas territories citizens (BOTC)

British overseas citizens (BOC)

British protected persons (BPP)

British subjects (BS)

↓ 1211/2010 Art. 1.2 (adapted)

4. ENTITIES AND TERRITORIAL AUTHORITIES THAT ARE NOT RECOGNISED AS STATES BY AT LEAST ONE MEMBER STATE

Taiwan²⁶

²⁴ The exemption from the visa requirement shall only apply to holders of a 'Hong Kong Special Administrative Region' passport.

²⁵ The exemption from the visa requirement shall only apply to holders of a 'Região Administrativa Especial de Macau' passport.

²⁶ The exemption from the visa requirement shall only apply to holders of passports issued by Taiwan which include an identity card number.



ANNEX III

Repealed Regulation with list of its successive amendments

Council Regulation (EC) No 539/2001
(OJ L 81, 21.3.2001, p. 1)

Council Regulation (EC) No 2414/2001
(OJ L 327, 12.12.2001, p. 1)

Council Regulation (EC) No 453/2003
(OJ L 69, 13.3.2003, p. 10)

Act of Accession of 2003, Annex II, point 18(B)

Council Regulation (EC) No 851/2005
(OJ L 141, 4.6.2005, p. 3)

Council Regulation (EC) No 1791/2006
(OJ L 363, 20.12.2006, p. 1)

Only the eleventh indent of
Article 1(1) as regards
Regulation (EC) No 539/2001,
and point 11(B)(3) of the Annex

Council Regulation (EC) No 1932/2006
(OJ L 405, 30.12.2006, p. 23)

Council Regulation (EC) No 1244/2009
(OJ L 336, 18.12.2009, p. 1)

Regulation (EU) No 1091/2010 of
the European Parliament and of the Council
(OJ L 329, 14.12.2010, p. 1)

Regulation (EU) No 1211/2010 of
the European Parliament and of the Council
(OJ L 339, 22.12.2010, p. 6)

Council Regulation (EU) No 517/2013
(OJ L 158, 10.6.2013, p. 1)

Only the fourth indent of
Article 1(1)(k) and point
13(B)(2) of the Annex

Regulation (EU) No 610/2013 of
the European Parliament and of the Council
(OJ L 182, 29.6.2013, p. 1)

Only Article 4

Regulation (EU) No 1289/2013 of
the European Parliament and of the Council
(OJ L 347, 20.12.2013, p. 74)

Regulation (EU) No 259/2014 of
the European Parliament and of the Council
(OJ L 105, 8.4.2014, p. 9)

Regulation (EU) No 509/2014 of
the European Parliament and of the Council
(OJ L 149, 20.5.2014, p. 67)

Regulation (EU) 2017/371 of
the European Parliament and of the Council
(OJ L 61, 8.3.2017, p. 1)

Regulation (EU) 2017/372 of
the European Parliament and of the Council
(OJ L 61, 8.3.2017, p. 7)

Regulation (EU) 2017/850 of
the European Parliament and of the Council
(OJ L 133, 22.5.2017, p. 1)

ANNEX IV

CORRELATION TABLE

| Regulation (EC) No 539/2001 | This Regulation |
|--|------------------------------------|
| Article -1 | Article 1 |
| Article 1(1), first subparagraph | Article 3(1) |
| Article 1(1), second subparagraph | Article 3(2) |
| Article 1(2), first subparagraph | Article 4(1) |
| Article 1(2), second subparagraph, introductory wording | Article 4(2), introductory wording |
| Article 1(2), second subparagraph, first indent | Article 4(2)(a) |
| Article 1(2), second subparagraph, second indent | Article 4(2)(b) |
| Article 1(2), second subparagraph, third indent | Article 4(2)(c) |
| Article 1(3) | Article 5 |
| Article 1(4) | Article 7 |
| Article 1a(1) and (2) | Article 8(1) and (2) |
| Article 1a(2a) | Article 8(3) |
| Article 1a(2b) | Article 8(4) |
| Article 1a(3) | Article 8(5) |
| Article 1a(4) | Article 8(6) |
| Article 1a(5) | Article 8(7) |
| Article 1a(6) | Article 8(8) |
| Article 1b | Article 9(1) |
| Article 1c | Article 9(2) |
| Article 2 | Article 2 |
| Article 4 | Article 6 |

Article 4a

Article 4b(1) and (2)

Article 4b(2a)

Article 4b(3)

Article 4b(3a)

Article 4b(4)

Article 4b(5)

Article 4b(6)

Article 5

Article 6

Article 7

Article 8

Annex I

Annex II

–

–

Article 11

Article 10(1) and (2)

Article 10(3)

Article 10(4)

Article 10(5)

Article 10(6)

Article 10(7)

Article 10(8)

Article 12

Article 13

Article 14

Article 15

Annex I

Annex II

Annex III

Annex IV