

# Visa Reciprocity: Commission responds to Parliament

The Commission considers that, in view of the significant progress achieved during the last year and the positive momentum of ongoing work, the temporary suspension of visa waivers for nationals of Canada and the United States would be counterproductive at this moment and would not serve the objective of achieving visa-free travel for all EU citizens. The Commission's diplomatic approach meanwhile has already started to bring tangible results: Canada lifted the visa requirements for some categories of Bulgarian and Romanian citizens on 1 May 2017 and is set to achieve full reciprocity as of 1 December 2017 and contacts have been re-launched with the new U.S. administration to push for full visa reciprocity for the five EU Member States concerned.

Commissioner for Migration, Home Affairs, and Citizenship Dimitris **Avramopoulos** said: *"Our goal is and remains to obtain full visa reciprocity with both Canada and the U.S. Our continued engagement and patient diplomatic contacts over the past year have brought tangible results already with Canada, and we are committed to proceeding in the same way with the U.S. Dialogue with our strategic partners is the right way forward and we are on the right track."*

Today's report defines the Commission's position following the European Parliament's non-legislative Resolution of 2 March which called on the Commission to adopt a delegated act to suspend the visa waiver for Canadian and U.S. nationals.

The Commission reported on visa reciprocity in [April](#), [July](#) and [December](#), welcoming the clear timeline provided by Canada for achieving full visa reciprocity for all EU citizens and committing to re-launching efforts with the new U.S. administration with the aim of agreeing on a way forward for the five EU Member States concerned in the first half of 2017.

## Canada

On 30 October 2016, Canada provided a clear timeline for achieving visa reciprocity for all EU citizens and has so far delivered on this commitment by lifting visa requirements on some categories of Bulgarian and Romanian citizens as of 1 May 2017. The Commission welcomes Canada's continued engagement and will remain in close contact with Bulgaria, Romania and Canada, both at technical and political level, to ensure that full visa reciprocity is achieved by 1 December 2017.

## The United States

During the last months, contacts with U.S. interlocutors at the political and technical level were intensified, leading to the launch of a result-oriented process to bring the five EU Member States (Bulgaria, Croatia, Cyprus, Poland

and Romania) into the Visa Waiver Program. The U.S. reconfirmed its commitment to admit the five EU Member States into the Program once they meet all the requirements set out by U.S. legislation. To this end, the need to accelerate the necessary work on the outstanding requirements was stressed. The Commission, in close cooperation with the five Member States concerned, will work with the U.S. on a way forward to be endorsed in a Joint Statement by the EU-U.S. Justice and Home Affairs Ministerial Meeting in June 2017.

## Next Steps

The Commission will continue to work closely with both the European Parliament and the Council and will report on further developments before the end of December 2017.

## Background

On 2 March, the European Parliament adopted a non-binding resolution calling the European Commission to suspend visa exemption for nationals of third countries that do not grant a reciprocal visa waiver to citizens of all EU Member States. Under the Article 265 TFEU, the Commission was obliged to define its position on the matter within two months.

A fundamental principle of EU visa policy is to ensure that third countries on the visa-free list grant a reciprocal visa waiver to citizens of all EU Member States. To support this effort a visa reciprocity mechanism has been set up.

In the framework of the reciprocity mechanism, which among other stipulations requires that the Commission takes into account the consequences of the suspension of the visa waiver for the external relations of the EU and its Member States, the Commission has already adopted three reports assessing the situation: on [10 October 2014](#), on [22 April 2015](#) and on [5 November 2015](#), as well as three Communications in [April](#), [July](#) and [December](#) 2016. In the Communication of 12 April 2016, the Commission assessed the consequences and impacts of a suspension of the visa waiver for citizens of Canada and the United States and concluded that, in addition to the adverse impact on EU citizens and the difficulties in implementation, it would also have significant negative impacts in a wide range of policy areas, notably on external relations, trade, tourism and the EU's economy.

The United Kingdom and Ireland do not take part in the development of the common visa policy and would not be bound by a visa waiver suspension.

For More Information

[Frequently asked questions: EU visa reciprocity mechanism](#)

[Communication adopted on 3 May 2017](#)

[Communication](#) adopted on 21 December 2016

[Communication](#) adopted on 13 July 2016

[Communication](#) adopted on 12 April 2016

5 November 2015 – [Report](#) from the Commission assessing the situation of non-reciprocity with certain third countries in the area of visa policy

22 April 2015 – [Report](#) from the Commission assessing the situation of non-reciprocity with certain third countries in the area of visa policy

10 October 2014 – [Report](#) from the Commission assessing the situation of non-reciprocity with certain third countries in the area of visa policy

Council Regulation listing those countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ([Council Regulation \(EC\) No 539/2001](#))

Regulation amending Council Regulation (EC) No 539/2001 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 ([Regulation \(EU\) 1289/2013](#))

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## [Back to Schengen: Commission recommends phasing out of temporary border controls over next six months](#)

Whilst the overall situation continues to stabilise, there are still a significant number of irregular migrants and asylum seekers in Greece. That is why, as a precautionary measure and whilst alternatives are put in place, the Commission is recommending that the Council prolong controls for the last time, meaning they will have to be lifted in six months' time. During this time, as in the previous periods, controls should only be carried out in a targeted and limited manner and only as a means of last resort. At the same time, the Commission is calling on Member States to increasingly make use of alternative measures that can provide the same level of security, such as proportionate police checks in border areas and along main transport routes. To that effect, the Commission has today also presented a Recommendation on proportionate police checks and police cooperation in the Schengen area.

First Vice-President Frans **Timmermans** said: *"Thanks to our joint efforts, our external borders are now stronger and more secure. By working together it is possible to have both security and freedom of movement. This means that in six months' time we will get back to a fully functioning Schengen area without internal border controls."*

Commissioner for Migration, Home Affairs, and Citizenship Dimitris

**Avramopoulos** said: *“The time has come to gradually return to a fully functioning Schengen system, and today we propose the concrete steps to do it. We recommend that temporary Schengen internal border controls be prolonged for one last time but call on Member States to phase them out, at the same time as compensating with proportionate police checks across their territory.”*

Commissioner for the Security Union **Julian King** said: *“The security of one Member State is the security of all Member States, and this includes exercising their police powers, where needed and justified. We encourage Member States to cooperate together as much as possible in operational police work, using all available tools to enhance security within Schengen.”*

Important progress has been made in better securing the EU’s external borders and limiting irregular migration over the past months. The full roll out of the **European Border and Coast Guard Agency** is progressing steadily since its launch on 6 October 2016; following the **EU-Turkey Statement**, irregular arrivals in Greece have decreased by 97%.

However, despite this progress, all of the conditions of the “Back to Schengen” [Roadmap](#) allowing for the lifting all internal border controls are still not fully in place today and the Schengen States concerned are still exposed to a risk of irregular secondary movements. An important number of irregular migrants and asylum seekers are still present in Greece and more efforts are needed to accelerate the processing of asylum applications, increase relocation and to ensure the resumption of Dublin transfers to Greece. Further efforts are also needed to make the European Border and Coast Guard fully operational (see [today’s progress report](#) on the progress achieved and the work still needed in making the new European Border and Coast Guard Agency fully operational). The Commission therefore considers it justified that the Council allows the Schengen States concerned, as a last resort measure and only after having examined alternative measures, to prolong the current temporary internal border controls one last time for a limited period of six months.

In parallel, the Commission is also today recommending that all Schengen States make **more effective use of proportionate police checks, including in border areas** to remedy threats to public policy or internal security. The Commission considers that proportionate police checks could prove **more efficient than internal border controls** as they can be applied in a more flexible manner and are easier to adapt to evolving risks. While in some circumstances (for example following a terrorist attack) it may be evident from the outset that police checks alone are not sufficient, in other cases, similar results to those of internal border controls can be achieved by stepping up police checks in border areas. Member States should give precedence to police checks before introducing or prolonging temporary internal border controls.

Member States should also strengthen **cross-border police cooperation**, for example through joint police patrols in cross-border trains, joint threat analyses and enhanced cross-border information exchange. To effectively **prevent irregular secondary movement** without having to reintroduce internal

border controls, the Commission recommends that Member States fully apply existing bilateral agreements that allow for the swift bilateral return of third-country nationals.

## Next Steps

The Council now needs to take a decision on prolonging controls, based on the Commission's recommendation. This is the last time a prolongation of these controls is legally possible under EU rules.

Looking to the future, the Commission is committed to ensuring that the tools already in place are fully used and that the situation is further stabilised.

## Background

The combination of serious deficiencies in the management of the external border by Greece at that time and the significant number of unregistered migrants and asylum seekers present in Greece who may have sought to move irregularly to other Member States, created exceptional circumstances constituting a serious threat to public policy and internal security and endangering the overall functioning of the Schengen area. These exceptional circumstances led to the triggering of the safeguard procedure of Article 29 of the Schengen Borders Code and the adoption of the [Council Recommendation](#) on 12 May 2016 to maintain temporary proportionate controls at certain internal Schengen borders in Germany, Austria, Sweden, Denmark and Norway for a period of six months.

For more information

[Proposal for a Council implementing decision setting out a Recommendation for prolonging temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk](#)

[Commission Recommendation on proportionate police checks and police cooperation in the Schengen area \(DISCLAIMER: This is a pre-finalised version of the text. Formal adoption will take place on Thursday 4 May\)](#)

[Questions and answers: Temporary internal border controls, police checks and police cooperation in the Schengen area](#)

[FACTSHEET: The Schengen Rules Explained](#)

Back to Schengen – [A Roadmap](#)

[Third Report from the Commission to the European Parliament, the European Council and the Council on the operationalisation of the European Border and Coast Guard](#)

[FACTSHEET: European Border and Coast Guard](#)

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# Remarks of High Representative/Vice-President Federica Mogherini at the joint press point following the meeting with the State

*Check against delivery!*

It was really an honour, a pleasure for me to welcome the State Counsellor here to Brussels, to the EU institutions, for her first official visit after the formation of the government one year ago. I take it as a particular honour also the fact that, in her first visit to Europe, she is visiting the European institutions.

It is really a sign of recognition of our strong friendship, partnership that has deep roots and also very concrete elements in the work we do together. I started by thanking her for a very [warm message she delivered](#) on the relevance of the European Union on the occasion of the 60<sup>th</sup> anniversary of the Treaties of Rome. This might not be the central point of the relations between the EU and Myanmar, but seeing how our friends and partners in the world value the partnership with the European Union is something that us Europeans should keep in mind a bit more often and hearing her words on that occasion was particularly important – for me personally and I believe for all of us.

We discussed during a very warm, useful, frank, open, interesting and lively discussion today first of all the ways in which the European Union can continue to support, in the best possible way, the democratic transition of the country, the peace and reconciliation process. The European Union is one of the few international signatories of the Peace Agreement [Nationwide Ceasefire Agreement] as a witness and so we exchanged views on how we can – even better and more – support this process, which is fully in the hands of the people of your country, but that needs to be accompanied by all those who believe in democracy, peace and reconciliation. Any reconciliation and peace process needs time, energy, determination, political leadership that Aung San Suu Kyi has shown in a remarkable manner over decades and in these last months, in very difficult conditions. This is what the European Union continues to support and will continue to support with all our means and all our strength – both politically and financially.

We have also discussed our humanitarian support. Commissioner Stylianides has joined us during our meeting; he will visit Myanmar next week and we took also the opportunity also to prepare his visit. We also discussed the political process; perspectives for the change in the Constitution. We also discussed the situation in Rakhine State that is for us an area of concern but also an area where we are providing key humanitarian support for all

communities. This will also be part of the work that Commissioner Stylianides will do next week.

We also exchanged views on the broader regional situation – the work that the European Union is doing with ASEAN [Association of Southeast Asian Nations], strengthening our partnership in many different fields and the fact that we will be in Myanmar in November with all the EU Foreign Ministers for the EU-ASEAN Ministerial Meeting that her excellency will host and chair. That will be another occasion for us to meet and continue our cooperation that, as I said, is for the European Union a key partnership, and if I can, also a key way to show and live in concrete ways our friendship with the people of the country – all of them – in this new era that the country has started to live.

Any new era is a challenge, is difficult, is interesting, but mainly is difficult. Friends are there to accompany difficult processes; that's what the European Union is determined to do. Sometimes we have some bumpy moments ahead of us but the determination, the sense of direction is the same: that of strengthening and supporting the democratic transition and the reconciliation process in the country, knowing all the challenges that are ahead but in a sense of respect, friendship and mutual understanding and support.

I thank you very much for the honour you gave us of being here today.

**Q. I just wanted to ask both of you, actually, what exactly the High Representative has encouraged you to do with regards to the Rakhine and whether you believe that any of her suggestions might be things that you'll be putting into practice? If there's anything specific you can tell us about your discussions on that issue?**

I can confirm completely what Aung San Suu Kyi just said. For us what is essential is that the living conditions of all communities are improved as a matter of urgency. Let me start by saying that we always condemn any forms of violence, including the ones that took place [on 9th October](#) [2016]. And we did it, I think, as the first international actor, condemning and publicly denouncing attacks on the security forces. We believe that all communities need to see an improvement in their lives and we discussed mainly how we can better support the authorities in the country to implement the recommendations of the Annan report. This is, for us, the roadmap. We have appreciated the determination and the endorsement that the State Counsellor made clearly about the recommendations and indications of the Annan report and we believe that is the way forward. So the fact of the matter is that we are ready to support and we discussed practical ways in which, including through humanitarian aid, the European Union can help and support the full implementation of the measures indicated in the report.

**Q: This is a question for both of you. What is your position on the calls for an international investigation into the situation of the Rohingya?**

The decision by the [United Nations] Human Rights Council to dispatch an independent international fact finding mission is probably one of the very few issues of disagreement between us, if I can say so. Actually, I have not detected any other. We believe that this can contribute towards establishing the facts for the past provided that, as we said before, we fully agree on the need to work together on the way forward. The fact finding mission, to our understanding, is focussed on establishing the truth on the past and we agree on the need to focus on the future and the implementation of the recommendations that are included in the Annan report as I said.

Thank you.

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## [Meeting between the High Representative/Vice-President Federica Mogherini and the Foreign Minister of Mongolia Tsend Munkh-Orgil](#)

Today, the High Representative of the European Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, Federica Mogherini received Mongolia's Minister of Foreign Affairs, Tsend Munkh-Orgil.

HR/VP Mogherini and Minister Munkh-Orgil reviewed the current excellent cooperation between the European Union and Mongolia, which has recently delivered a number of practical results. In particular, the European Union has tailored its development assistance in support of Mongolia's ongoing structural reforms and has strengthened cooperation on trade-related issues to support Mongolia in improving its business environment and diversifying its economy. HR/VP Mogherini and Minister Munkh-Orgil looked forward to the further intensification of the EU-Mongolia relationship via the EU's ongoing work to strengthen its presence in Ulaanbaatar and the upcoming conclusion and entry into force of the [EU-Mongolia Partnership and Cooperation Agreement](#).

The High Representative and the Minister discussed foreign policy issues notably developments on the Korean Peninsula and political, security and economic dynamics across Eurasia. They both agreed that the EU and Mongolia share common values and a common interest in a stable and prosperous north-east Asia, underpinned by open markets and the rule of law.



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# Dichiarazione dell'alto rappresentante Federica Mogherini, a nome dell'Unione europea, in occasione della Giornata mondiale

Free press is vital for having a democracy that works. Today we celebrate the **World Press Freedom Day** in a difficult context for journalism. Freedom of expression and Freedom of the press are under increasing attacks around the world.

Free, diverse and independent media are indispensable to promoting and protecting democracy worldwide. A free press and freedom of expression are among the very same foundations of democracy, contribute to stable, inclusive, and resilient societies and can help defuse tensions and contain conflicts. The EU supports the implementation of the 2030 Agenda for Sustainable Development, which includes ensuring universal access to information and protection of freedom of expression.

Supporting independent, quality and ethical journalism is essential. By facilitating the free flow of quality and well-researched information on matters of public interest, and by acting as the “public’s watchdog”, independent media are the basis of a participatory democracy and a tool to make governments accountable for their actions. The EU ensures that respect for freedom of expression is integrated in all EU policies and development programmes. The EU is notably funding specific projects in third countries enhancing quality of journalism, access to public information and freedom of expression. Since June 2015, the EU has supported at least 45 endangered Human Rights Defenders that promote the right of freedom of expression under its small grant scheme.

The EU condemns the increase of threats and violations against journalists and media professional offline and in cyberspace. All states are expected to fulfil their global obligations to protect freedom of expression and the safety of journalists by providing a supportive legal environment and prosecuting all attacks against journalists. The EU consistently opposes – in bilateral contacts with third countries as well as in multilateral and regional fora – any legislation, regulation or political pressure that limits freedom of expression and takes concrete steps to prevent and respond to attacks against journalists and bloggers.

The EU Guidelines on Freedom of expression online and offline, adopted in 2014, and their continued implementation, reaffirm the EU’s determination to promote freedom of opinion and of expression as rights to be exercised by everyone everywhere, based on the principles of equality, non-discrimination

and universality, through any media and regardless of frontiers.