

Communication from the Commission pursuant to Council Regulation (EC) No 539/2001 of 15 March 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 ⁽¹⁾ as amended by Regulation (EC) No 2414/2001 of 7 December 2001 ⁽²⁾

(2003/C 68/02)

Additional information communicated to the Commission in conformity with Article 5 of the Regulation as at 31 December 2002 ⁽³⁾

1. Exceptions by virtue of Article 4(1) and (2), to the visa requirement envisaged by Article 1(1)

1.1. The visa requirement is waived for the categories of persons originating in the countries in the column on the left corresponding to the following key:

D = diplomatic passports

S = official duty passports and other official passports

SP = special passports.

	BNL (*)	DK (**)	D (***)	GR	E	F	I	AU	P	FIN	S	ISL	NOR
Afghanistan													
Albania				DS			D						D ⁽¹⁾
Algeria							DS						
Angola									DS				
Antigua and Barbuda				DS									
Armenia													
Azerbaijan													
Bahamas								DS					
Bahrain													
Bangladesh													
Barbados							DS	DS					
Belarus													
Belize													
Benin							DS						
Bhutan													
Bosnia and Herzegovina				D				D					
Botswana							DS						
Burkina Faso							DS						
Burma/Myanmar													
Burundi													
Cambodia													
Cameroon													
Cape Verde									DS				

⁽¹⁾ OJ L 81, 21.3.2001, p. 1.

⁽²⁾ OJ L 327, 12.12.2001, p. 1.

⁽³⁾ In application of Article 1 of the protocol on the position of Ireland and the United Kingdom annexed to the Treaty on the European Union and to the European Community Treaty, and without prejudice to its Article 4, the provisions of Council Regulation (EC) No 539/2001 are not applied by Ireland or the United Kingdom.

	BNL (*)	DK (**)	D (***)	GR	E	F	I	AU	P	FIN	S	ISL	NOR
Central African Republic													
Chad	D		DS										
China													
Colombia					DS		DS						
Congo													
Côte d'Ivoire	DS					DS	DS	DS					
Cuba													
Democratic Republic of the Congo													
Djibouti													
Dominica							DS						
Dominican Republic							DS						
East Timor													
Egypt							DS						
Equatorial Guinea													
Eritrea													
Ethiopia													
Fiji							DS						
Former Yugoslav Republic of Macedonia			D	DS		D	DS	D			DS		DS
Gabon						D							
Gambia							DS						
Georgia													
Ghana			DS										
Grenada													
Guinea													
Guinea-Bissau													
Guyana							DS						
Haiti													
India		DS	D										
Indonesia													
Iran													
Iraq													
Jamaica	DS		D					DS					
Jordan													
Kazakhstan													
Kenya			D										
Kiribati													
Kuwait							DS						
Kyrgyzstan													
Laos													
Lebanon													
Lesotho							DS						

	BNL (*)	DK (**)	D (***)	GR	E	F	I	AU	P	FIN	S	ISL	NOR
Liberia													
Libya													
Madagascar													
Malawi	DS		D										
Maldives								DS					
Mali													
Marshall Islands													
Mauritania							DS						
Mauritius													
Micronesia													
Moldova													
Mongolia													
Morocco	DS		D	DS	D	D	DS	DS	DS				DS
Mozambique									DS				
Namibia			D										
Nauru													
Nepal													
Niger							DS						
Nigeria													
North Korea													
Northern Marianas													
Oman													
Pakistan	DS	DS	D					DS		DS		DS, SP	DS
Palau													
Papua New Guinea													
Peru			D	DS	DS	DS	DS	DS		DS			
Philippines		DS	DS	DS	DS		DS	DS		DS	DS		DS, SP
Qatar													
Russia													D (?)
Rwanda													
Saint Kitts and Nevis													
Saint Lucia													
Saint Vincent and the Grenadines													
Samoa							DS						
São Tomé and Príncipe									DS				
Saudi Arabia													
Senegal	D		DS			D	DS	DS					
Serbia and Montenegro				DS			DS						
Seychelles								DS					

	BNL (*)	DK (**)	D (***)	GR	E	F	I	AU	P	FIN	S	ISL	NOR
Sierra Leone													
Solomon Islands													
Somalia													
South Africa			D	DS				DS	DS			DS, SP	DS
Sri Lanka													
Sudan													
Surinam													
Swaziland							DS						
Syria													
Tajikistan													
Tanzania													
Thailand	DS	DS	DS				DS	DS		DS	DS		DS, SP
The Comoros													
Togo							DS						
Tonga													
Trinidad and Tobago								DS					
Tunisia	DS		D	DS	D	D	DS	DS	DS				
Turkey	DS	DS, SP	DS	DS	DS	DS, SP	DS, SP	DS	D	DS, SP	DS	DS, SP	DS, SP
Turkmenistan													
Tuvalu													
Uganda							DS						
Ukraine													
United Arab Emirates													
Uzbekistan													
Vanuatu													
Vietnam													
Yemen													
Zambia													
Zimbabwe				DS									

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

Palestinian Authority													
Taiwan													

(*) Note: Benelux: In application of the Convention of 11 April 1960, and in particular Article 3, the countries of the Benelux have a harmonised policy in relation to short stay visas for third countries.

(**) Denmark: holders of valid identity cards issued by the authorities of the Vatican City State are exempted from the visa requirement.

(***) Germany and Sweden: holders of Vatican passports, irrespective of their nationality are exempted from the visa requirement.

(1) Norway: Albania, only accredited ambassador, his spouse and children are exempted from the visa requirement.

(2) Norway: Russia, only accredited ambassador, his spouse and children are exempted from the visa requirement.

1.2. Visa exemption for other categories mentioned in Article 4

— *Civilian air crew members:*

they are in principle exempt from visa by the Member States when holding licences and certificates within the meaning of Annexes 1 to 9 of the Convention of Chicago on International Civil Aviation.

However, the visa requirement is maintained:

- by France for crew members who are nationals of countries who are non-signatories of the Chicago Convention;

— *Civilian sea crew members:*

They can, **in principle**, be exempted from visa by the Member States when holding Seafarer's Identity Documents, issued according to the International Labour Organisation Convention No 108 of 1958 (Geneva)/the IMO Convention of London of 9 April 1965 (FAL) on the facilitation of international maritime traffic.

In practice:

- in the case of shore leave: the exemption is applied for crew members, in conformity, with the above, and with point 6.5.2 of the Common Frontiers Manual, with the exception of Sweden and Germany,
- in the case of transit: the visa requirement is maintained for crew members by all States with the exception of Norway and Portugal.

Comment by Norway: exempted from the visa requirement are the holders of a Philippine 'Seafarer's Identification and Record Book' and/or a Philippine national passport, see the shipping agreement of October 1999 between the Philippines and Norway. The holder must produce written confirmation from the shipowner or the shipowner's representative that the holder is to take up an engagement on a ship in a Norwegian port.

— *Civilian ships crew members (on international internal waterways):*

The Rhine:

they may be exempted from the visa requirement by Belgium, Germany, France, Luxembourg and the Netherlands provided that they are holders of a travel document containing a trilingual stamp or mention identifying them as a Rhine boatman in accordance with the resolutions of the Central Commission for the navigation of the Rhine.

The Danube:

they are in principle exempted from the visa requirement by Germany and Austria provided that they are holders of a document identifying them as a Danube boatman and they figure on the crew list.

— *Laissez-passer issued by international organisations to their officials:*

General observation:

Portugal: the holders of such laissez-passer do not benefit from a visa exemption;

Austria: the beneficiaries of privileges and immunities who have been issued with a specific identity document are exempted from visa.

Observations relating to particular organisations:

United Nations: the holders of the laissez-passer are exempted from the visa requirement except by France, Italy and Portugal.

Observation by Norway: any judge of the International Court of Justice or any official of the secretariat of this court.

North Atlantic Treaty Organisation: the holders of an official identity document or travel order are exempt from the visa requirement.

Observation by Italy: the holders of a Travel Order issued by NATO Headquarters are exempt from the visa requirement irrespective of their nationality in accordance with Article 3 of the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Forces, signed at London on 19.6.1951, where they are members of a NATO force.

Observation by Norway: the spouse, cohabitant or any dependent children of the abovementioned categories are also exempted from the visa requirement.

Other international organisations:

Denmark exempts from visa the holders of Identification Card SHIRBRIG, Planning Element Official, issued by the Chief of Defence Denmark;

Benelux: exempts from visa holders of a laissez-passer issued by the Secretary General of the Customs Cooperation Council.

2. Exceptions by virtue of Article 4 to the visa exemption envisaged by Article 1(2)

A visa obligation is applied to the categories of persons originating in the countries in the column on the left corresponding to the following key:

D = diplomatic passports

ACR = civilian aircrew

S = official duty passports and other official passports

SCR = civilian sea crew

	BNL	DK	D	GR	E	F	I	AU	P	FIN	S	ISL	NOR
Israel						DS ACR ⁽¹⁾ SCR ⁽²⁾							
Mexico												DS	
United States of America				DS	DS ⁽³⁾	DS ⁽⁴⁾ ACR ⁽¹⁾ SCR ⁽²⁾							
Venezuela									S				

⁽¹⁾ France: although the United States and Israel are signatories to the Chicago Convention, the visa requirement is nevertheless maintained for crew members who are nationals of those two countries.

⁽²⁾ France: although the United States and Israel are signatories to the 1965 London Convention, the visa requirement is nevertheless maintained for crew members who are nationals of those two countries.

⁽³⁾ Spain: for the United States of America, holders of diplomatic or official duty passports on official missions or official visits are subject to the visa requirement. The visa is not necessary when the entrance is in application of the Hispanic-North American Convention of 1 May 1988.

⁽⁴⁾ France: only when the holders of diplomatic or official duty passports are on mission.

3. Measures of exception by virtue of Article 4(3) to the exemption from visa provided for in Article 1(2)

Persons originating in the countries figuring in the column on the left are subject to the visa requirement when carrying out a paid activity during their stay

ECO = paid activity

	BNL	DK	D ^(a)	GR	E	F	I ^(b)	AU ^(c)	P	FIN ^(d)	S	ISL	NOR ^(e)
Andorra			ECO	ECO	ECO ^(*)		ECO	ECO	ECO			ECO	
Argentina			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Australia				ECO	ECO	ECO	ECO	ECO	ECO			ECO	
Bolivia			ECO	ECO	ECO		ECO	ECO	ECO			ECO	

	BNL	DK	D ^(a)	GR	E	F	I ^(b)	AU ^(c)	P	FIN ^(d)	S	ISL	NOR ^(e)
Brazil			ECO	ECO	ECO	ECO	ECO	ECO	ECO			ECO	
Brunei			ECO	ECO	ECO	ECO	ECO	ECO	ECO			ECO	
Bulgaria			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Canada				ECO	ECO	ECO (**)	ECO	ECO	ECO			ECO	
Chile			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Costa Rica			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Croatia			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Cyprus			ECO	ECO	ECO	ECO	ECO	ECO	ECO			ECO	
Czech Republic			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Ecuador			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Estonia			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Guatemala			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Holy See — Vatican City State			ECO	ECO	ECO			ECO	ECO			ECO	
Honduras			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Hungary			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Israel				ECO	ECO		ECO	ECO	ECO			ECO	
Japan				ECO	ECO	ECO	ECO	ECO	ECO			ECO	
Latvia			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Lithuania			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Malaysia			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Malta			ECO	ECO	ECO	ECO	ECO	ECO	ECO			ECO	
Mexico			ECO	ECO	ECO	ECO	ECO	ECO	ECO			ECO	
Monaco			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Nicaragua			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
New Zealand				ECO	ECO		ECO	ECO	ECO			ECO	
Panama			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Paraguay			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Poland			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Romania			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Salvador			ECO	ECO	ECO			ECO	ECO			ECO	
San Marino			ECO	ECO	ECO	ECO	ECO	ECO	ECO			ECO	
Singapore			ECO	ECO	ECO			ECO	ECO			ECO	
Slovakia			ECO	ECO	ECO	ECO	ECO	ECO	ECO			ECO	
Slovenia			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
South Korea			ECO	ECO	ECO	ECO	ECO	ECO	ECO			ECO	
United States of America				ECO	ECO	ECO	ECO	ECO	ECO			ECO	
Uruguay			ECO	ECO	ECO		ECO	ECO	ECO			ECO	
Venezuela			ECO	ECO	ECO	ECO	ECO	ECO	ECO			ECO	

	BNL	DK	D (**)	GR	E	F	I	AU	P	FIN	S	ISL	NOR
Guatemala	—	—	—	—	—	—	—	—	—	—	—	—	—
Holy See			RA										
Honduras			RA										
Hungary			RA										
Israel			RA										
Japan		(¹)	(RA) (***)										
Latvia			(RA) (***)										
Lithuania			RA										
Malaysia	R	R	RA		R		R		R	R	R	R	R
Malta (*)			RA										
Mexico			RA										
Monaco			RA										
Nicaragua			RA										
New Zealand			RA										
Panama			RA										
Paraguay			RA										
Poland	R	R	RA		R		R		R	R	R	R	R
Romania			RA										
Salvador			RA										
San Marino			RA										
Singapour			RA										
Slovakia			RA										
Slovenia			RA										
South Korea			RA										
United States of America			RA										
Uruguay			RA										
Venezuela													

SPECIAL ADMINISTRATIVE REGIONS OF THE PEOPLE'S REPUBLIC OF CHINA

Hong Kong SAR													
Macao SAR													

(*) Data supplied as further information.

Exemption from the visa requirement is not based on the second indent of Article 3 of the Regulation but on the European Agreement on the abolition of visas for refugees, signed at Strasbourg on 20 April 1959. Member States applying the Regulation are parties to the Agreement with the exception of Austria and Greece. France, which is a contracting party, suspended its application in 1986.

(**) It is a general requirement that the person hold a valid travel document issued in accordance with the rules of the Agreement of 15 October 1946 regarding the issue of travel documents to refugees, the Convention relating to the Status of Refugees of 28 July 1951 or the Convention relating to the Status of Stateless Persons of 28 September 1954. The travel document must contain an authorisation to return which has a sufficiently long period of validity.

(***) For D: applies in each case from the date of entry into force of the agreements and conventions referred to in footnote(**) on the issue of travel documents to refugees and stateless persons.

(¹) Denmark: exemption applies to holders of Latvian aliens passports.

Data whose publication is not required by Article 5 of Council Regulation (EC) No 539/2001 but published for information purposes only

(Status of additional information communicated to the Commission)

Situation specific to persons deriving their nationality status by virtue of a connection with British Overseas Territories who are subject to a visa requirement by one or more States ⁽¹⁾

Territories	BNL	DK	D	EL	E	F	I	A	P	FIN	S	ISL	NOR
Anguilla		V d)	V		V b)	V c)	V b)	V	V	V	V d)	V d)	
Bermuda		V a)	V	V	V b)	V a)	V b)	V		V	V a)	V a)	V a)
British Indian Ocean Territory							V b)	V	V	V	V d)		
British Virgin Islands		V d)	V		V b)	V c)	V b)	V	V	V	V d)	V d)	
Cayman Islands		V d)	V		V b)	V c)	V b)	V	V	V	V d)	V d)	
Falkland Islands							V b)	V	V		V d)		
Montserrat		V d)	V	V	V b)	V c)	V b)	V	V	V	V d)	V d)	
Pitcairn, Ducie Henderson and Oeno							V b)	V	V	V	V d)		
Saint Helena and dependancies		V d)	V	V	V b)	V c)	V b)	V	V	V	V d)	V d)	
Turks and Caicos Islands		V d)	V		V b)	V c)	V b)	V	V	V	V d)	V d)	

a) **Denmark, France, Iceland, Norway and Sweden:** except for holders of British Dependant Territories Citizens passports.

b) **Spain and Italy:** except for holders of British Dependant Territories Citizens passports.

c) **France:** except for holders of passports bearing the mention 'the holder has the right of abode in the United Kingdom'.

d) **Denmark, Iceland and Sweden:** except for holders of passports bearing the mention 'the holder has the right of re-admission', the holder is entitled to re-admission to the United Kingdom', or 'the holder has the right of abode in the United Kingdom' and on condition that the holder has not been absent from the United Kingdom for a period exceeding two years.

⁽¹⁾ the British Overseas Territories Act 2002, which entered into force on 21 May 2002, has introduced major changes to the status of the Overseas Territories and the rules governing the nationality under the law of persons who are dependent on that status in the United Kingdom.