



Overview

Turkey meets 65 of 72 requirements for visa liberalisation

6 May 2016

As part of the EU-Turkey deal on migrants and refugees, signed on 18 March 2016, the EU agreed:

“to accelerate the implementation of the visa liberalization roadmap with all Member States with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016.” [1]

On 4 May the Commission published the ‘Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap’. [2]

The “roadmap” has 72 requirements grouped under five headings.

Here we provide an overview of the requirements and information on whether or not they have been fulfilled, as set out in the working document that accompanied the Commission’s communication. [3]

The working document provides more detail on what Turkey has done with regard to each of the individual requirements. It also contains an 11-page annex setting out an ‘assessment of the security impact of visa liberalisation’.

[1] EU-Turkey statement, 18 March 2016, <http://statewatch.org/news/2016/mar/eu-turkey-statement-18-3-16.pdf>

[2] European Commission, ‘Third Report on progress by Turkey in fulfilling the requirements of the visa liberalisation roadmap’, COM(2016) 278 final, 4 May 2016, <http://www.statewatch.org/news/2016/may/eu-com-visa-list-turkey-visas-lifting-3rd-rep-com-278-16.pdf>

[3] Commission Staff Working Document, ‘Third Report on progress by Turkey in fulfilling the requirements of its visa liberalisation roadmap’, SWD(2016) 161 final, 4 May 2016, <http://statewatch.org/news/2016/may/eu-com-turkey-readmission-requirements-overview.pdf>

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Block 1: Document security

1. Turkey should continue issuing machine readable biometric travel documents in compliance with ICAO standards and follow ICAO recommended practice, phasing out of any non-ICAO compliant passports, and gradually introducing international passports with biometric data, including photo and fingerprints, in line with EU standards, especially Council Regulation 2252/2004.	Almost fulfilled
2. Implement appropriate administrative measures ensuring the integrity and security of the personalisation and distribution and validation process for international passports and other breeder documents.	Fulfilled
3. Establish training programmes and adopt ethical codes on anti-corruption targeting the officials of any public authority that deals with visas, breeder documents or passports.	Fulfilled
4. Promptly and systematically report to Interpol/LASP database on lost and stolen passports.	Fulfilled
5. Ensure a high level of security of breeder documents and ID cards and define strict procedures surrounding their application and issuance.	Fulfilled
6. Regularly exchange passport specimens, visa forms and information on false documents, and cooperate on document security with the EU.	Fulfilled
7. Adopt and implement measures ensuring the integrity and security of the civil status and civil registration process, including the integration and linking of the relevant databases and the verification of scanned data against the civil status database, paying particular attention to the amendment of individuals' basic personal data.	Fulfilled

Block 2: Migration management

Border management

8. Carry out adequate border checks and border surveillance along all the borders of the country, especially along the borders with EU member states, in such a manner that it will cause a significant and sustained reduction of the number of persons managing to illegally cross the Turkish borders either for entering or for exiting Turkey.	Fulfilled
9. Adopt and effectively implement legislation governing the movement of persons at the external borders, as well as legislation on the organisation of the border authorities and their functions, in accordance with the 'National Action Plan for the Implementation of Turkey's Integrated Border Management strategy', approved on by Turkish authorities on 27th March 2006, and in line with the principles and best practices enshrined in the EU Schengen Border Code and the EU Schengen Catalogue.	Fulfilled
10. Take the necessary budgetary and other administrative measures ensuring the deployment at the border crossing posts and along all the borders of the country, especially on the borders with the EU member states, of well-trained and qualified border guards (in sufficient number), as well as the availability of efficient infrastructure, equipment and IT technology, including through a more extensive use of surveillance equipment, in particular electronic means, mobile and fixed, video surveillance, infrared cameras and other sensor systems.	Fulfilled
11. Enhance cooperation and information exchange between the staff and bodies in charge of border management, the custom service and the other law enforcement agencies, in view of enhancing the capacity to collect intelligence, to use human and technical resources efficiently, and to act in a coordinated manner.	Fulfilled
12. Establish training programmes and adopt ethical codes on anti-corruption targeting the border guards, customs and other officials involved in the border management.	Fulfilled
13. Implement in an effective manner the Memorandum of Understanding signed with FRONTEX, including by developing joint cooperation initiatives and exchanging data and risks analysis.	Fulfilled
14. Ensure that border management is carried out in accordance with the international refugee law, in full respect of the principle of non-refoulement and effectively allowing the persons in need of international protection to have access to asylum procedures.	Fulfilled
15. Ensure adequate cooperation with the neighbouring EU Member States, aiming in particular at reinforcing the management of the borders with EU Member States.	Fulfilled

Visa policy

16. Enhance training on document security at the consular and border staff of Turkey, and develop and use the Turkish Visa Information System.	Fulfilled
17. Abolish issuance of visas at the borders as an ordinary procedure for the nationals of certain non-EU countries, and especially for countries representing a high migratory and security risk to the EU.	Fulfilled
18. Put in use the new Turkish visa stickers with higher security features, and stop using stamp visas.	Fulfilled
19. Introduce airport transit visas	Fulfilled

20. Amend the rules on the basis of which Turkey allows the entry into its territory to the nationals of the main countries representing important sources of illegal migration for the EU, in the aim of making the access more difficult for those willing to enter the Turkish territory with the purpose to subsequently attempt to illegally cross the external borders of the EU.	Fulfilled
21. Pursue the alignment of Turkish visa policy, legislation and administrative capacities towards the EU acquis, notably vis-à-vis the main countries representing important sources of illegal migration for the EU.	Fulfilled
22. Allow non-discriminatory visa-free access to the Turkish territory for the citizens of all the EU Member States.	Fulfilled

Carriers' responsibility

23. Adopt and effectively implement the legislation on carriers' responsibility defining sanctions.	Fulfilled
24. Adopt and effectively implement legislation and implementing provisions, in compliance with the EU acquis and with the standards set by the Geneva Convention of 1951 on refugees and its 1967 Protocol, thus excluding any geographical limitation, so as to ensuring the respect of the principle of non-refoulement, taking into account also the European Convention on Human Rights, the possibility to lodge an asylum request and to obtain the refugee status protection or a subsidiary form of protection for any person in need of international protection, and allowing the UNHCR to effectively fulfil its mandate on the Turkish territory without restrictions;	Fulfilled
25. Establish a specialised body responsible for the refugee status determination procedures with the possibility for an effective remedy in fact and law before a court or tribunal as well as for ensuring the protection and assistance of asylum seekers and refugees and provide that body and its staff with adequate working capacity and	Fulfilled
26. Provide adequate infrastructures and sufficient human resources and funds ensuring a decent reception and protection of the rights and dignity of asylum seekers and refugees.	Fulfilled
27. Persons who are granted a refugee status should be given the possibility to self-sustain, to access to public services, enjoy social rights and be put in the condition to integrate in Turkey.	Fulfilled
28. Adopt and implement legislation providing for an effective migration management and including rules aligned with the EU and the Council of Europe standards, on the entry, exit, short and long-term stay of foreigners and the members of their family, as well as on the reception, return and rights of the foreigners having been found entering or residing in Turkey illegally.	Fulfilled
29. Set up and start to apply a mechanism for the monitoring of migration flows, with data both on regular and illegal migration; establish bodies responsible for collection and analysis of data on migration stocks and flows; and develop a situational picture on illegal migration flows at national, regional and local level, as well as on the different countries of origin of the illegal migration, including implementation of risk analysis and intelligence.	Fulfilled
30. Take measures improving the capacity to investigate cases of organised or facilitated illegal migration.	Fulfilled

31. Effectively seek to conclude and implement readmission agreements with the countries that represent sources of important illegal migration flows directed towards Turkey or the EU Member States.	Fulfilled
32. Ensure sufficient financial and human resources for effective migration management, including also adequate training programs.	Fulfilled
33. Ensure effective expulsion of illegally residing third-country nationals from its territory.	Fulfilled
34. Establish the conditions allowing a voluntary return to the third country nationals expelled from its country and willing to use this modality.	Fulfilled
35. Provide adequate infrastructure (including detention centres) and strengthen responsible bodies to ensure effective expulsion of illegally residing and/or transiting third country nationals from the Turkish territory, while offering all the needed legal aid, as well as social and psychological assistance, and decent and fair detention conditions and removal procedures, to the returnees.	Fulfilled

Block 3: Public order and security

Preventing and fighting organised crime, terrorism and corruption

36. Continue and complete implementation of its National Strategy and Action Plan for the fight against organised crime (in particular cross-border aspects) and ensure adequate human and financial resources for its implementation.	Fulfilled
37. Sign and ratify the Council of Europe's Convention on Action against Human Trafficking as well as adopt and effectively implement legislation, including provisions aligned on the standards set by this Convention as well as by the EU acquis related to the prevention of the trafficking in human beings, the prosecution of traffickers, and the protection and assistance of their victims.	Fulfilled
38. Provide adequate infrastructures and sufficient human resources and funds ensure decent reception and protection of the rights and dignity of victims of trafficking, and supporting their social and professional reintegration.	Fulfilled
39. Ratify the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS 198) and transpose its provisions into the internal legislation and adopt and effectively enact legislation allowing to meet the requirements of this Convention as well as the recommendations of the Financial Action Task Force (FATF) on establishing a system on the freezing of assets and a definition of the financing of terrorism.	Fulfilled
40. Ratify the Council of Europe Convention on Cybercrime and adopt legislation and implement measures allowing to enact this Convention.	Fulfilled
41. Continue implementing the National Strategy and the Action Plans against Drugs and Drug Addiction and develop cooperation with the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA);	Fulfilled
42. Continue implementing the National Strategy and the Action Plan on Fight against Corruption and the recommendations of GRECO (I, II and III. Evaluation Round).	Not fulfilled

Judicial cooperation

43. Implement and comply with international conventions concerning judicial cooperation in criminal matters (in particular the Council of Europe Conventions on Extradition (no 24 of 1957, including the not yet implemented Additional Protocols of 1975, 2010 and 2012), Mutual Assistance in Criminal Matters (no 30 of 1959, including the not yet implemented Additional Protocol of 2001), and the Transfer of Sentenced Persons (no 112 of 1983, including the not yet implemented Additional Protocol of 1997).	Fulfilled
44. Take measures aimed at improving the efficiency of judicial cooperation in criminal matters of judges and prosecutors with the EU Member States and with countries in the region.	Fulfilled
45. Develop working relations with Eurojust.	Fulfilled
46. Continue implementing the 1980 Hague Convention on civil aspects of the international child abduction, and accede to the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility	Fulfilled

and Measures for the Protection of Children, as well as to the 2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance	
47. Provide effective judicial cooperation in criminal matters to all the EU Member States, including in extradition matters inter alia by promoting direct contacts between central authorities.	Partially fulfilled

Law enforcement cooperation

48. Take necessary steps to ensure effective and efficient law enforcement cooperation among relevant national agencies - especially border guards, police, customs officers, through full inter-agency collaboration in the field of intelligence and information exchange - as well as cooperation with the judicial authorities.	Fulfilled
49. Reinforce regional law enforcement services cooperation and implement bilateral and multilateral operational cooperation agreements, including by on time sharing of relevant information with competent law enforcement authorities of EU Member States.	Fulfilled
50. Improve the operational and special investigative quality and capacity of law enforcement services to more efficiently serious cross-border crime, including identity and travel document fraud.	Fulfilled
51. Effectively cooperate with OLAF and Europol in protecting the euro against counterfeiting.	Fulfilled
52. Strengthen the capacities of the Turkish Financial Crimes Investigation Board (MASAK) and develop its cooperation with other Financial Intelligence Units within the EU Member States.	Fulfilled
53. Continue implementing the Strategic Agreement with Europol.	Fulfilled
54. Conclude with EUROPOL and fully and effectively implement an Operational Cooperation Agreement.	Not fulfilled

Data protection

55. Sign, ratify and implement relevant international conventions, in particular the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data of 1981 and its Additional Protocol no 181.	Fulfilled
56. Adopt and implement legislation on the protection of personal data in line with the EU standards, in particular as regards the independence of the authority in charge of ensuring the protection of personal data.	Partially fulfilled

Block 4: Fundamental rights

Freedom of movement of the citizens

57. Ensure that freedom of movement of citizens of Turkey is not subject to unjustified restrictions, including measures of a discriminatory nature, based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation. Carry out related full investigations when needed.	Fulfilled
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Conditions and procedures for the issue of identity documents

58. Provide information about the conditions and circumstances for the acquisition of Turkish citizenship.	Fulfilled
59. Provide information about the conditions for changing personal data.	Fulfilled
60. Ensure full and effective access to travel and identity documents for all citizens including women, children, people with disabilities, persons belonging to minorities, internally displaced people, and other vulnerable groups.	Fulfilled
61. Ensure full and effective access to identity documents for the refugees and stateless persons residing in Turkey.	Fulfilled
62. Provide accessible information on registration requirements to foreigners wishing to reside in Turkey, and ensure equal and transparent implementation of respective legislation.	Fulfilled

Citizens' rights and respect for and protection of minorities

63. Develop and implement policies addressing effectively Roma social exclusion, marginalisation and discrimination in access to education and health services, as well as its difficulty to access to identity cards, housing, employment and participation in public life.	Fulfilled
64. Ratify Additional Protocols 4 and 7 to the European Convention on Human Rights (ECHR).	Fulfilled
65. Revise - in line with the ECHR and with the European Court of Human Rights (ECtHR) case law, the EU acquis and EU Member States practices - the legal framework as regards organised crime and terrorism, as well as its interpretation by the courts and by the security forces and the law enforcement agencies, so as to ensure the right to liberty and security, the right to a fair trial and freedom of expression, of assembly and association in practice.	Not fulfilled

Block 5: Readmission of irregular migrants

66. Fully and effectively implement the readmission obligations existing with the Member States.	Fulfilled
67. Ratify the EU-Turkey readmission agreement initialled on 21 June 2012.	Fulfilled
68. Fully and effectively implement the EU-Turkey readmission agreement in all its provisions, in such a manner as to provide a solid track record of the fact that readmission procedures function properly in relation to all Member States.	Partially fulfilled
69. Establish and implement internal procedures allowing for the rapid and effective identification and return of Turkish citizens, third-country nationals and stateless persons who do not, or no longer, fulfill the conditions for entry to, presence in, or residence on the territories of one of the Member States, and for the facilitated transit of persons to be returned to their country of destination, in a spirit of cooperation.	Fulfilled
70. Strengthen the capacity of the competent authority to process readmission applications within the timeframe given in the readmission agreement and reduce the number of pending readmission requests, including those related to third country nationals.	Fulfilled
71. Ensure that applications for readmission are processed in compliance with the domestic and the EU data protection requirements.	Fulfilled
72. Compile and share in a timely manner with the competent authorities of Member States and the European Commission detailed statistics on readmission.	Fulfilled