

EU list of third country non- cooperative jurisdictions for tax purposes, updated February 2026

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In brief

On 17 February 2026 the ECOFIN Council (the 'Council') approved conclusions on the Annex I (the EU list of 'non-cooperative jurisdictions for tax purposes', commonly referred to as the EU 'blacklist'). The council decided to:

- remove **Fiji, Samoa and Trinidad and Tobago** from the EU 'blacklist',
- add **Turks and Caicos Islands** and **Vietnam** to the EU 'blacklist'.

On 17 February 2026 the Council also made amendments to Annex II (the EU list of third country 'cooperative jurisdictions for tax purposes subject to the successful delivery of their commitments', commonly referred to as the EU 'greylist'). The Council decided to:

- remove **Antigua and Barbuda** and **Seychelles** from the EU 'greylist'.

The Council adopted the initial EU 'blacklist' and 'greylist' on 5 December 2017. These lists have since been updated several times. As agreed by the Council in its conclusions of 12 March 2019, the aim, as from 2020 onwards, is for any updates of the EU lists to be done no more than twice a year. This is the first update for 2026.

The Council conclusions in effect adopt recommendations made by the EU Code of Conduct Group (Business Taxation) and will take effect from the day of publication in the Official Journal of the EU (not published yet).

In detail

The latest (17 February 2026) Council decisions on the EU 'blacklist' and the EU 'greylist'

A. The Council decided that:

- **Turks and Caicos Islands** should be added to the EU 'blacklist' following concerns raised by the OECD forum on harmful tax practices regarding the enforcement of economic substance requirements.
- **Vietnam** should be added to the EU 'blacklist' after the OECD Global Forum's review revealed that the country did not meet the necessary standards for the exchange of tax information on request.
- **Fiji, Samoa and Trinidad and Tobago** should be removed from the EU 'blacklist' as they now comply with all agreed international standards.

In addition, the entries in the EU 'blacklist' for **American Samoa, Guam**, and the **US Virgin Islands** have been updated to reflect ongoing efforts to address compliance with certain tax cooperation standards. However, this progress was not considered enough to warrant their removal from the EU 'blacklist'.

Following the above, the following ten (10) countries are now on EU 'blacklist':

American Samoa	Anguilla	Guam
Palau	Panama	Russian Federation
Turks and Caicos Islands	U.S. Virgin Islands	Vanuatu
Vietnam		

B. The Council also decided that:

- **Antigua and Barbuda** and **Seychelles** should be removed from the EU 'greylist' as they have both received a positive rating from the Global Forum regarding their systems for exchanging tax information on request.

In addition, **Brunei** has been granted a six-month extension to reform its foreign-source income exemption regime.

Following the above, the following nine (9) countries are now on the EU 'greylist':

Belize	British Virgin Islands	Brunei Darussalam
Eswatini	Greenland	Jordan
Montenegro	Morocco	Turkey

All jurisdictions on the EU 'greylist' have made commitments towards the EU to comply with the relevant EU criteria within specific timeframes (the timeframes may be extended).

Updated EU lists take effect upon publication in the Official Journal of the EU.

For more background on the EU lists, and their evolution over time, please refer to our prior Tax Update Newsletters:

[N-17-2017](#), [N-4-2018](#), [N-11-2018](#), [N-19-2018](#), [N-5-2019](#), [N-9-2019](#), [N-11-2019](#), [N-14-2019](#), [N-2-2020](#), [N-28-2020](#), [N-2-2021](#), [N-28-2021](#), [N-11-2022](#), [N-1-2023](#), [N-17-2023](#), [N-3-2024](#), [N-8-2024](#), [N-5-2025](#) and [N-15-2025](#).

The takeaway

Possible impacts on taxpayers in jurisdictions on the EU 'blacklist' include facing increased monitoring and audits, special documentation requirements, increased withholding taxes, and other possible defensive tax measures by EU Member States.

- In particular for Cyprus, withholding tax is applicable in certain circumstances where a recipient, that is a company, is in an EU blacklisted jurisdiction. The Cyprus withholding tax as regards EU blacklisted jurisdictions is not applicable in cases where the recipient is an individual. This is with effect from 31 December 2022, subject to any reduction or exemption as per any applicable double tax treaty (DTT). For more details please refer to our prior Tax Update Newsletter [N-38-2021](#).

Additionally, we expect the Cyprus Tax Authorities to issue clarifications as regards their interpretation of this Cyprus withholding tax, which are expected, inter alia, to indicate which version of the EU blacklist will be applicable at any one time.

Lastly, increased DAC6 reporting obligations would apply to certain related party transactions between taxpayers in the EU and taxpayers in EU 'blacklisted' jurisdictions. For Cyprus DAC6 obligations the relevant list to use is expected to be the list as it stands in the Official Journal of the EU on the date the DAC6 obligation arises.

Let's talk

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