



VISA INFORMATION SYSTEM (VIS)

WHAT IS THE VIS? *

The Visa Information System (VIS) is a system for the exchange of visa data between Schengen States. The implementation of the VIS is a key element of the common visa policy, which together with other policies allows the European Union to establish an area of freedom, security and justice.

The main objectives of the VIS are to facilitate visa application procedures, to facilitate checks at external borders and to enhance security. The VIS facilitates the exchange of data between Schengen States on visa applications in order to ease procedures, prevent “visa shopping” and assist in the fight against fraud.

For the purpose of the implementation of the VIS, consular posts and external border crossing points of the Schengen States will be connected to the central VIS database. The VIS is progressively being rolled out in the different regions of the world, starting with North Africa (Algeria, Egypt, Libya, Mauritania, Morocco and Tunisia), the Near East (Israel, Jordan, Lebanon and Syria) and the Gulf Region (Afghanistan, Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates and Yemen).

The VIS contains biographic and biometric data of persons applying for a Schengen visa. Eventually it is expected to include approximately 80 million visa applications.

WHAT CHANGES IN PRACTICE FOR VISA APPLICANTS AT CONSULAR POSTS AND THE EXTERNAL BORDERS OF THE SCHENGEN AREA?

Applicants need to appear in person for the collection of the biometric data: ten fingerprints and a photograph are collected from persons applying for a visa. However, for subsequent applications within 5 years, fingerprints can be re-used from the VIS file unless there is reasonable doubt regarding the identity of the applicant.

When the visa holder arrives at the external border, the border authorities have access to the VIS to verify his or her identity and the authenticity of the visa.

These procedures improve security in the Schengen Area.

Certain categories of applicants are exempt from the requirement to give fingerprints, including:

- Children under the age of 12;
- Persons for whom fingerprinting is physically impossible;
- Heads of State and members of national governments, and members of their official delegations when invited for an official purpose.

ACCESS TO THE VIS AND DATA PROTECTION

Access to the VIS for entering, amending, deleting and consulting data is reserved exclusively to duly authorised staff of competent authorities. The VIS may in particular be consulted for the following purposes:

- Examination of visa applications and decisions related thereto;
- Carrying out checks at external borders to verify the identity of the visa holder and/or the authenticity of the visa;
- Identification and return of illegal immigrants;
- Facilitating the determination of the Member State responsible for examining an asylum application.



Under specified conditions, access to VIS data may be requested by the European Police Office (Europol) and national law enforcement authorities for the purposes of prevention, detection and investigation of terrorist offences or other serious criminal offences.

The data entered in the VIS is subject to strict data protection rules, including Directive 95/46/EC and Regulation EC 45/2001. Data is kept for a maximum period of 5 years. This retention period starts from the expiry date of the issued visa, from the date a negative decision is taken, or from the date a decision to modify an issued visa is taken. Any person has the right to be informed about data in the VIS related to him or her. Any person may also request the correction of inaccurate data and the deletion of unlawfully recorded data related to him or her.

LEGAL BACKGROUND

- Council Decision (EC) no. 2004/512 of 8 June 2004 establishing the VIS, OJEU L213, 15.6.2004, p. 5.
- Regulation (EC) no. 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the VIS and the exchange of data between Member States on short-stay visas (VIS Regulation), OJEU L218, 13.8.2008, p. 60.
- Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the VIS by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences, OJEU L218, 13.8.2008, p. 129.
- Regulation (EC) no. 81/2009 of the European Parliament and of the Council of 14 January 2009 amending Regulation (EC) No 562/2006 as regards the use of the Visa Information System (VIS) under the Schengen Borders Code, OJEU L35, 4.2.2009, p. 56.
- Commission Decision (EC) no. 2010/49 of 30 November 2009 determining the first regions for the start of operations of the Visa Information System (VIS), OJEU L23, 27.1.2010, p. 62.
- Regulation (EC) no. 810/2009 of the European Parliament and the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), OJEU L243, 15.9.2009, p. 1.

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