

PUBLIC CONSULTATION

Improving procedures for obtaining short-stay 'Schengen' visas

Summary of responses

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Introduction

The legislation on issuing short-stay visas for travel in the Schengen area, Regulation No 810/2009 (Visa Code) has now been in force for three years. The aim of the Visa Code is to reinforce the coherence of the common visa policy, to enhance transparency and legal certainty, to strengthen procedural guarantees, to reinforce equal treatment of visa applicants by ensuring quality of the service and to establish the “one-stop” principle for the lodging of applications. The Visa Code and the common visa policy cover short stay visas (‘Schengen visas’ for stays of 90 days/180 days), and is applied by 22 EU Member States (Austria, Belgium, Czech Republic, Denmark, Germany, Estonia, Greece, Spain, France, Italy, Latvia, Lithuania, Luxembourg, Hungary, Malta, Netherlands, Poland, Portugal, Slovenia, Slovakia, Finland and Sweden) and four associated states (Iceland, Liechtenstein, Norway and Switzerland).

As part of the preparation of the evaluation of the implementation of the Visa Code, DG Home Affairs launched a public consultation between 25 March 2013 and 17 June 2013 to gather the views and experiences of the ‘main users’ of the common visa policy. This includes individuals on the one hand, and interest groups, advocacy groups and professional organisations on the other. The consultation is only related to Schengen short stay visas. It did not cover issues concerning long stay visas or residence permits.

The goal of the consultation was to assess whether the legislation has achieved its objectives. Building on this evaluation, the Commission intends to propose amendments to revise the Visa Code and to further develop and modernise the common visa policy¹.

The consultation was divided into two parts: **individuals** were asked to reply to a questionnaire covering different aspects of the visa application procedure, ranging from general information about their ‘Schengen’ visa to consular coverage, costs and length of the application procedure. Apart from single-choice questions, the questionnaire contained also open questions, which encouraged the respondents to share their experiences of the procedure and present major challenges they faced.

Organisations were invited to send written contributions on the issues covered in the questionnaire or on any other issues linked to the implementation of the Visa Code.

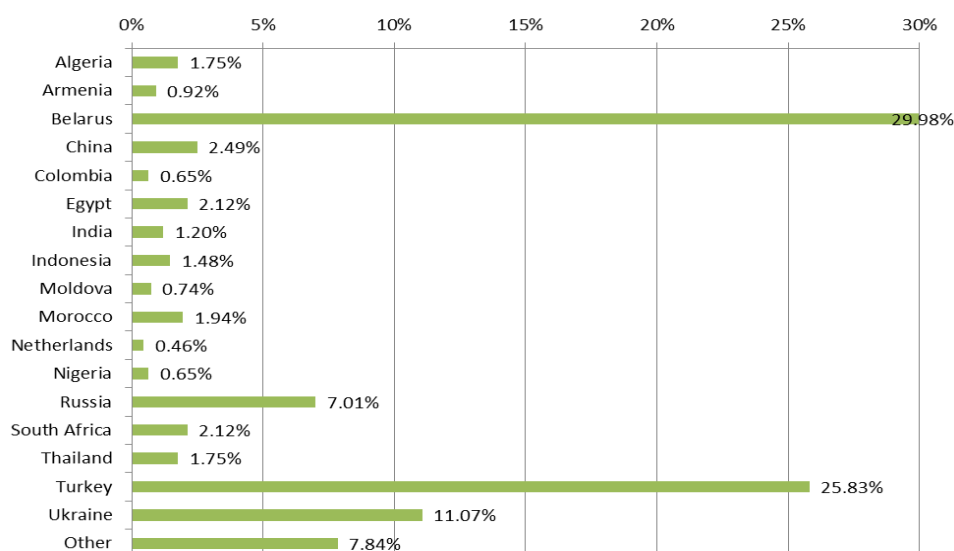
¹ The revision of the Visa Code is identified as one of the priority initiatives of the Commission’s Work Programme for 2013 in the area of home affairs.

For the **analysis of the results** of the questionnaire, related categories of questions have been grouped together. For example, the access to consulates has been used as a headline under which the results of the questions on consular competence, geographical coverage and access to consulates have been examined. Respondents were also asked if they had any other comments and suggestions on how to improve the application procedure. These comments and suggestions for improvement have been analysed individually. The contributions of professional organisations, advocacy/interest groups and business associations have also been presented on an individual basis.

Presentation of results of the questionnaire for individual persons

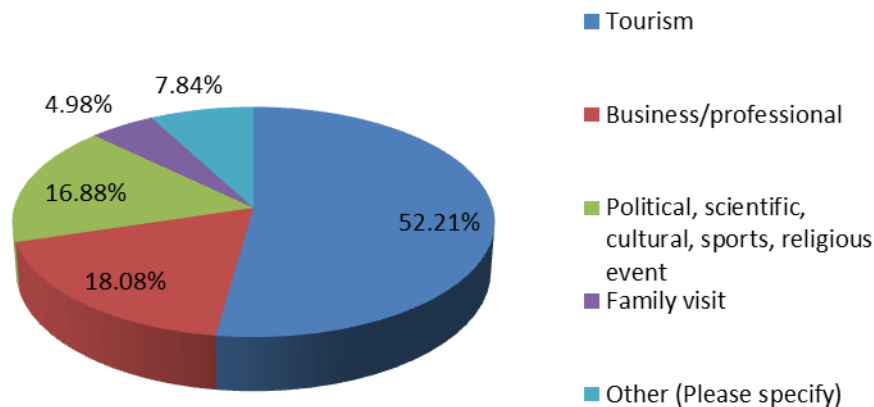
In total, 1084 responses were received. Most respondents came from Belarus (325 replies corresponding to nearly 30% of all the respondents), followed by Turkey with 280 respondents (26%), and Ukraine with 120 contributions (11%).

Rec. 1. Nationality of the respondents (%).



The vast majority of respondents (95%) have applied for a visa in the past with success. 66% of respondents consider that they travel to the Schengen area frequently, i.e. more than twice a year. As purpose of travel, 53% of respondents named tourism, 18% business or professional purposes, and 16% participation in political, scientific, cultural, sports or religious events. Family visits as travel purpose account for 5% of the replies.

Rec. 2. What is your most frequent purpose of travel? (%)



Access to consulates

Competent consulate

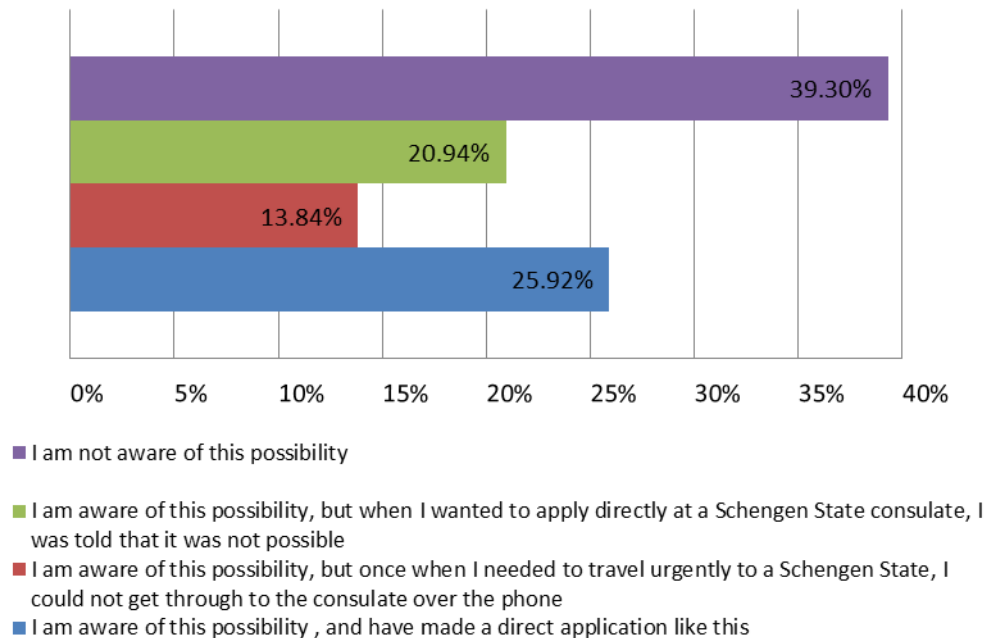
Consular coverage – lack of consular presence, distance to the consulate and time spent on travel

Direct access to consulates

As regards **consular coverage**, over 8% of respondents reported that they have at least once not been able to submit their visa application because the Schengen state to which they wanted to travel **did not have a consulate in the country in which they were legally resident**, and was not represented by another Schengen State. A quarter of the respondents (25%) reported having to travel for more than 6 hours (out of which nearly 12% for more than 12 hours) to get to the consulate of the Schengen State where they wanted to submit their application. Concerning the distance the applicants had to travel to reach the consulate, nearly 12% had to travel for over 500km to reach a consulate, while 6% of the respondents had to cover a distance exceeding 1000km. In order to solve the lack of consular presence, visa applicants suggested introducing a possibility to apply for a visa at any consulate represented in a given country.

Consulates cooperating with external service providers are obliged to maintain the **possibility of applicants submitting their visa applications directly at the consulates**. Whereas 26% of the respondents have made a direct application, 39% were not aware of this possibility, and 21% of respondents when trying to apply at the consulate were told that it was impossible and 14% were unable to reach the consulate on the phone when they needed to travel to a Schengen State urgently.

Rec. 3. Consulates cooperating with external service providers ('visa application centres') have to keep open the possibility of receiving visa applications directly. Did you know this? (%)



Length of the visa application procedure

Submitting applications only three months before the start of a planned visit
 Submitting visa applications in person, appointment system
 Total time spent on applying for a visa

Many of the respondents expressed the view that the requirement to apply for a visa at the earliest three months before the planned trip does not allow the travellers to benefit from cheaper travel or accommodation offers. On the other hand, the duration process and the fact that multiple entry visas are not often issued, make it impossible to take advantage of last minute offers or to travel spontaneously.

With regard to the **requirement of submitting the visa application in person**, 70% of respondents consider it an unnecessary burden because of the time it takes and the expense of travel needed to lodge an application. More than half of the respondents (51%) assessed the requirement to lodge the application in person as difficult or very difficult. Many respondents expressed the idea to create an online application form to solve the problem of lodging the application in person. The solution would require as the first step the payment of the visa fee, and only then examining the application to filter out not serious applications.

Several consulates require applicants to make an **appointment to lodge their visa application**. As a rule, the appointment is supposed to take place within two weeks of the date on which it was requested, but 30% of respondents signalled that they did not get an appointment within two weeks. In the opinion of 49.3% this timeframe is not acceptable, as consulates do not allow urgent applications to be made directly without an appointment, while 18% of respondents believe this deadline to be acceptable, but not kept by the consulates. On the other hand, according to 33% of respondents a two-week timeframe for appointments is acceptable, considering that in urgent cases, the requirement to make an appointment is waived. In addition, a lot of visa applicants mentioned that they had no other choice than to take advantage of the services of external visa application centres to acquire an appointment for lodging their application. This resulted either from the fact that acquiring an appointment at the consulate was impossible due to the lack of available date or that they were unable to reach the consulate to make an appointment, or that the respondent had been informed to apply at the centre by the consulate employees.

In order to simplify the application procedure for a family, the appointments for the family members should be set at the same time or day. Furthermore, it has been recommended to schedule appointments with the consulate at an exact time slot to avoid long queues.

The **total time** spent by respondents on applying for their latest visa (including time to obtain relevant information from the consulate, time to obtain supporting documents, travelling time to consulate/service provider, waiting time at the consulate, collecting the passport, etc.) ranged from 1 day (10%) to 5 days (59% of respondents). However, according to the comments, the latter group included also persons who spent much more time applying for the visa. The time that lapsed between the first contact with the consulate or the service provider and the moment the passport could be collected, exceeded 1 month in the case of 18% of respondents. In 42% of the cases the time ranged from 10 to 30 days. Consequently, **the length of the visa procedure** has been assessed as difficult by 63% of the respondents. The majority of respondents (57%) also perceived the process to obtain all necessary supporting documents as difficult.

Frequent travellers

Facilitations Multiple entry visas

Only 9% of frequent travellers, who have previously had several visas, have been offered **facilitations**. The types of facilitations were mostly related to waiving the requirement to present documents confirming applicants' financial means and waiving the documents concerning accommodation, applicants' situation in their home country or the purpose of stay. The respondents commented that the facilitations arising from

the visa facilitation agreements (e.g. issuing multiple entry visas) were not applied and that visa fee waivers were applied in an arbitrary and inconsistent manner. Also, family members of EU citizens complained about not receiving any facilitations mentioned in the Handbook for the processing of visa applications and the modification of issued visas.

Many frequent travellers who have applied for several Schengen visas in the past few years are convinced that the Schengen visa procedure has become more cumbersome or takes longer (32%). Frequently given examples relate to increasing visa processing times, waiting for an appointment or longer queues, as well as the increasing requirements of consulates. Many have complained about difficult or impossible access to the consulates which forces them to apply via visa centres and of the lack of competence on the part of employees in such visa centres. Only 15% of the respondents are of the opinion that the situation has improved over time, whereas 39% of frequent travellers have not experienced any changes in the visa application procedure. 32% of the respondents even feel that the procedure has become more cumbersome.

In order to facilitate the visa application procedure for frequent travellers, it has been suggested to take previous visas into account and offer those frequent travellers with a positive visa history multiple entry visas (MEV) with longer validity automatically.

With regard to **MEVs**, the analysis of the questionnaire showed that most respondents (74.4%) have applied for a multiple entry visa in the past. The last visa granted to 65% of respondents was a MEV. Of these visas 84% had validity shorter than 1 year (and 43% a validity shorter than 6 months). Only 5% of the MEVs issued exceeded the validity of 2 years. Many respondents also pointed to the fact that single-entry visas are often issued for the exact duration of the intended trip or event, which does not give the holders any flexibility for manoeuvre in cases of unexpected events. On the other hand, the validity of multiple entry visas is often very short and sometimes merely covering the period of intended stay. Therefore a longer validity of short-term visas as well as for MEVs is wished.

Documents required

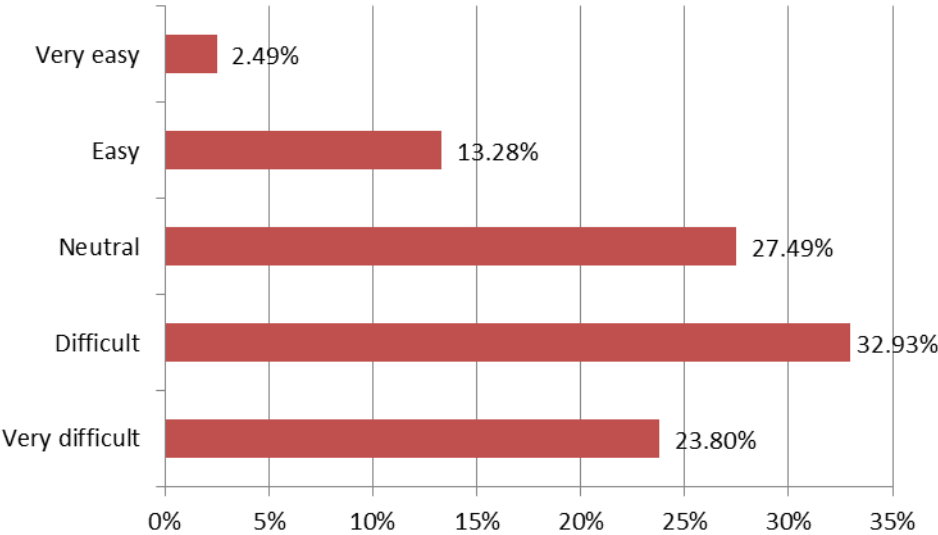
Difficulty of the visa application form
Medical insurance
Supporting documents
Differences between consulates of Member States

When lodging a visa application, the applicant is required to present several documents. An application form, a valid travel document, a recent photograph, several supporting documents: for instance documents indicating the purpose of the journey, a

proof of accommodation, a proof of sufficient means, and a proof of possession of adequate and valid travel medical insurance need to be provided.

A vast majority of the respondents found the **visa application form** easy to very easy (51%) or had a neutral opinion on it (37%). Those who found it difficult or very difficult thought it contained too many questions, was too long and too much information was requested. Moreover the form did not provide sufficient space to include information relating to the invitation or accommodation. They feared making mistakes and thought it was difficult to complete the form in hard copy, while an online application would simplify the procedure. Some were of the opinion that examples of completed forms for different types of applications would be helpful.

Rec. 4. Obtaining all the necessary supporting documents (%).



Most respondents (80%) have never experienced problems regarding the **travel insurance** required. Some (21%) believe that the travel insurance is too expensive.

Opinions on the **supporting documents** vary: 54% of respondents do not think they have ever been asked for irrelevant or unnecessary documents, they can understand why the consulates ask for specific documents. Yet more than a half of the respondents (57%) rate obtaining all the necessary supporting documents as difficult. Consequently, some respondents wish greater flexibility with regard to hotel and flight bookings and leave out the requirement of original hotel confirmations.

More than a half of respondents who had applied for visas at more than one Schengen State consulate (53%) have noticed differences between the procedures at different consulates. The differences mentioned concern mainly different requirements with regard to supporting documents and their form (fax/e-mail vs. original hard copy, or even translations of notarized documents with apostille), different waiting times for the appointment and waiting conditions (waiting rooms or waiting outside the building

regardless of the weather conditions), as well as the length of the procedure. Some Schengen States consulates are considered stricter than others; there are also **differences** with regard to the issuance of multiple-entry visas. Therefore a harmonised list of requirements with regard to supporting documents and regulations in general is requested. Some respondents suggested introducing Single European Visa Centres operating under uniform rules and regulations.

Costs

Visa fee

Additional costs: cost of making an appointment, service fee to the service provider, travel medical insurance, obtaining supporting documents, translation, travel costs (getting to/from the consulate/service provider, attending additional interview (if applicable), collecting passport)

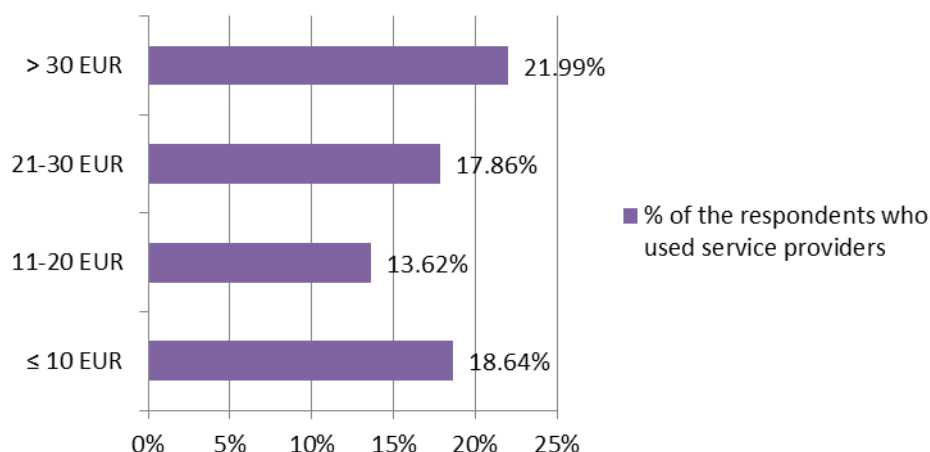
Almost a quarter of respondents (24%) have benefited from visa fee facilitations. However, as many as 22.2%, claim that they have paid more than the **visa fee** provided for by the Visa Code.

Only a quarter of respondents (27%) would be prepared to pay a higher visa fee in return for a faster service, e.g. not exceeding 3 days whereas 73% of respondents believe that the visa procedure is already too expensive. More than 70% consider the **overall cost** of the application procedure as a burden.

The most significant costs and burdens were related to the requirement to apply in person and travelling to the consulate and being absent from work. Another expense factor comprises the necessity to acquire numerous supporting documents, which often have to be translated, notarised or certified.

With regard to the **cost of making an appointment**, 18% of the respondents admit having paid more than 10 euros out of which 10% admit having paid over 50 euros. As far as the service fee is concerned, 50% of the respondents who have applied for a visa with an external service provider paid up to 30 euros of service fee. However, 22% paid more than 30 euros, i.e. more than the amount allowed by the Visa Code.

Rec. 5. Service fee to the service provider (if applicable).



The cost of **travel medical insurance** ranges from under 10 euros (21%) to over 50 euros (25%).

Half of the respondents (54%) have not encountered high **costs of obtaining all the required supporting documents**. In 33% of the cases the costs ranged from 11 euros to 50 euros, while 13% of respondents reported having paid over 50 euros. Translation of the supporting documents did not exceed 10 euros in 84% of the cases, while in 4% of the cases it exceeded 50 euros.

The respondents frequently mentioned **travel costs** as a significant element of the total cost of the visa application procedure. While most respondents incur up to 50 euros of costs related to travel or collecting passports, nearly a quarter of respondents (25%) incurs costs higher than that.

Service quality

Courtesy of consular staff
Quality of information provided
Information on grounds of visa refusal and appeal possibilities

In general, most of the respondents complained that the employees of visa application centres were poorly informed and that they refused to accept applications for multiple entry visas. The respondents criticised that the services received at the centres did not justify their high service charge as for instance the staff did not take responsibility for the safety of entrusted passports.

A third of respondents rated **staff at consulates** as not friendly. As regards information concerning the visa sticker, 74% of respondents admitted to not having received any information. However, 37% stated that they did not need further information. Written information has been provided to nearly 10% of respondents.

In the cases of visa refusal, almost 8% of respondents stated that they were not provided with sufficient information about the reasons for the visa refusal. Nearly one in four (24%) was not informed of the possibility and **time limits for appealing** against the decision.

In general, getting access to information was rated as difficult or very difficult by 35.33% of respondents and to keep the information on visa applications up to date on the respective websites is a prerequisite.

To conclude, the majority of individual respondents (54%) expressed that they **would not be deterred** from travelling to the Schengen area by their experiences with the visa process, whereas the remaining 46% would avoid travelling to the Schengen area. It has been evaluated that the issues that have been raised with respect to the visa application procedure cannot be linked to nationalities. There have been no tendencies or specific issues that can only be associated with particular nationalities.

Presentation of the contributions made by interest groups, advocacy groups and professional organisations

Approximately 40 professional organisations, advocacy/interest groups and business associations and a few individual persons have responded to the public consultation with written contributions. The respondents can be divided into the following areas of interest: "youth exchanges", "artists'/cultural workers' mobility", "migration", "education", "tourism", and "business/industry (including, the maritime sector)".

In general, the responses from these categories of respondents mirror the ones made by individual respondents.

Certain issues are raised by all respondents irrespective of their area of interest: the requirement on lodging in person, maximum deadlines for lodging an application and the rules on the competent Member State (for examining the application) are too restrictive – e.g. touring artists often find it difficult to fit it with their professional commitments (they may be touring elsewhere during the three months preceding the intended trip) while differences between the ticket destination and the trip destination may lead to the need to re-launch the application process. Moreover, a lack of consular presence or representation of a given Member States frequently leads to organisational problems, or even industries losing sales or contacts. The same applies to tourists:

being unable to apply for a Schengen visa in their home country, they choose to travel to another country.

The differing practices applied by Member States are confusing and incomprehensible; the procedures are excessively long, preventing the person – be it an artist or a seafarer – from reaching the intended destination as planned; information to the public is insufficient. Multiple entry visas are not issued to persons considered eligible, and if they are, their holders face problems at borders of Member States other than the issuing state.

Some ("youth exchanges", "artists/cultural workers") particularly point to specific problematic aspects such as the overall costly procedure and the difficulty particularly for young persons or artists to prove sufficient means of subsistence, in the latter case because of lack of recognised employment status. This requirement applies even in cases when the inviting youth organisation undertakes to cover all costs related to the visit on behalf of the applicant. Organisations indicate the need of creating a new category of visas for youth exchanges, volunteering and youth work activities, which in their opinion would provide recognition for the unique nature of these visits. Others point to the quasi-mandatory requirement of having access to the internet to apply for a visa which is problematic in certain (rural) parts of the world. Both groups often mention the fact that the visa fee waiver for participants -aged 25 or less- of seminars, conferences, sports, cultural or educational events (especially the ones representing NGOs, for whom the visa fee waiver is mandatory) is rarely applied.

Representatives of the artists/culture sector often state that the restrictions on length of stay (90/180 days) frequently cause problems in relation to artists' commitments connected with tours. For touring artists also the rules on the competent Member State often create problems because the different Member States of destination of the same tour decline being competent.

Both the cruise industry, shipping companies and manning companies point to the specific situation of seafarers (maritime and hospitality crew) and indicate that the lack of flexibility of practices regarding the competent Member State, issuing of MEVs with a long validity and issuing of visas at the border create massive problems and generate additional costs to the business.

The advocacy/interest groups and business associations also expressed some ideas for improving the procedure for obtaining a 'Schengen' visa. In order to solve the lack of consular presence and better ensure the accessibility of consulates, accredited business organizations, as for example Chambers of Commerce should be involved in the application process. In addition, the stakeholders suggested revising the way information on the visa requirements is disseminated. Travel agencies notify that many airline booking engines e.g. British Airways are already informing their passengers at the time of reservation about the visa requirement. The information should be transmitted and translated in several languages.