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COMIX 431

**NOTE**

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From:	General Secretariat of the Council
To:	Delegations
Subject:	Local Schengen cooperation between Member States' consulates (Article 48(5), first subparagraph, of the Visa Code) - Compilation of summary reports covering the period 2013-2014

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Delegations will find attached the annual reports drawn up in the local Schengen cooperation, as transmitted by the services of the Commission.

Encl.: \_\_\_\_\_

**LOCAL SCHENGEN COOPERATION  
ANNUAL REPORTS - 2013-2014**

AFGHANISTAN\*  
ALBANIA  
ALGERIA\*  
ARGENTINA  
ARMENIA\*  
AUSTRALIA  
AZERBAIJAN\*  
BELARUS\*  
BENIN\*  
BOLIVIA\*  
BOSNIA AND HERZEGOVINA  
BRAZIL  
CAMBODIA\*  
CAMEROON\*  
CANADA  
CAPE VERDE\*  
CHILE  
CHINA\*  
CONGO – BRAZZAVILLE\*  
COSTA RICA  
CÔTE D'IVOIRE\*  
EGYPT\*  
ERITREA\*  
FORMER YUGOSLAV REPUBLIC OF MACEDONIA  
GABON\*  
GEORGIA\*  
GHANA\*  
GUINEA CONAKRY\*  
INDIA\*  
INDONESIA\*  
JORDAN\*  
KAZAKHSTAN\*  
KENYA\*  
KOSOVO<sup>1</sup>\*  
MADAGASCAR\*  
MAURITANIA\*  
MONTENEGRO  
MOZAMBIQUE\*  
NEPAL\*  
NIGERIA\*  
PARAGUAY  
PHILIPPINES\*  
RUSSIAN FEDERATION\* (2 LSC reports: Moscow and St. Petersburg)  
SAUDI ARABIA\*

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<sup>1</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

SENEGAL\*  
SERBIA  
SOUTH KOREA  
SRI LANKA\*  
SUDAN\*  
TAIWAN  
TAJIKISTAN\*  
TANZANIA\*  
THAILAND\*  
TURKEY\*  
UKRAINE\*  
UNITED KINGDOM  
UNITED STATES OF AMERICA  
UZBEKISTAN\*  
VENEZUELA  
WEST BANK AND GAZA STRIP\*  
YEMEN\*  
ZAMBIA\*

\*= third state whose nationals are subject to the visa requirement.



EUROPEAN UNION

DELEGATION TO AFGHANISTAN and OFFICE OF THE EU SPECIAL REPRESENTATIVE

Local Schengen Coordination

Kabul / Thu 10 April 2014

## **LOCAL SCHENGEN COOPERATION (LSC) in AFGHANISTAN 2013-2014 REPORT<sup>2</sup>**

### **1. Introduction**

The number of MS present is 16 (sixteen) of which 5 (five) are issuing visas in Kabul. The other consular services have neighbouring capitals in charge, mainly their embassies in Islamabad or New-Delhi.

There are 2 (two) non-EU MS. 3 (three) EU MS assist as observers.

No new representation arrangement has been finalised.

The use of external service providers for the collection of applications has been discussed at length and negotiation with the only local service provider has been suspended sine die.

The chronically serious concern due to the local circumstances is the security of the consular services as all have to take the strictest measures to protect their staff, customers and premises against any insurgent attacks.

### **2. LSC meetings held in 2013-2014**

Meetings are held on a very regular basis (every two months). They are well attended.

They are chaired by the EUD / EC local Schengen coordinator.

Non-Schengen Member States are always invited for the first part of the meeting treating on general visas issues of interest for all the western consular services. Those observers do not stay during the second part when the Schengen harmonisation is dealt with.

Each participant is responsible of its own report requirements.

There is no need for coordination with the LSC in locations outside the capital because there is no one.

### **3. State of play**

#### **3.1 Application of the Visa Code**

MS and EUD are well prepared to ensure the tasks to be carried out in LSC under the Visa Code.

The main specific problem relating to the implementation of the Visa Code that had to be discussed in the LSC meetings various times was the new compulsory finger print system that some authorities want to be exempted of.

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<sup>2</sup> April 2013 – March 2014

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

MS present are working on the list and draft should be forwarded to the Visa Committee in a reasonable delay.

### **3.3 Exchange of information**

The following information is regularly exchanged within the LSC:

- statistics;
- cases of fraud;
- translation and certification of local supporting documents;
- visa shopping.

### **3.4 Any other initiative taken in LSC**

Third parties have been invited on two occasions:

- 1 IOM to share views on the needs to support return of refugees from Europe;
- 2 Ministry of Foreign Affairs, Department of Visa to share views on reliability of different official documents.

## **4. Challenges**

The implementation of an harmonised list of supporting documents will be a clear step forward in a better visibility of Europe among the Afghan businessmen, tourists or students.

## **5. Other issues**

No other issue to report.



27/05/2014

## **LOCAL SCHENGEN COOPERATION (LSC) in Tirana 2013-2014 REPORT<sup>3</sup>**

### **1. Introduction**

In addition to the EU Delegation to the Republic of Albania, there are 18 Member States with diplomatic representation to Tirana. Moreover, Italy has two General Consulates in Vlora and Shkodra and one honorary Consulate in Gjirokastra while Greece has two General Consulates in Gjirokastra and Korca. Austria has one Honorary Consulate in Shkodra. In December 2013 Romania opened a Honorary Consulate in Korce. Since the entry into force of the Visa Code in April 2011, the EUD is in charge of the coordination of meetings of the Local Schengen Cooperation which usually take place every six months. Visa Liberalisation is in force since December 2010.

The consular service at the Dutch Embassy was closed in June 2013. Since then consular services are covered by the Dutch Embassy in Skopje. Switzerland has closed the consular section of its Embassy since 2011. Consular services are delivered from the Swiss regional consular centre in Pristina. Switzerland is represented by the Austrian Embassy for Schengen C type visas. Austria is also representing Malta for Schengen C type visas. Hungary represents Estonia, Latvia and Slovakia in C type visas. Denmark is representing Iceland, Norway and Sweden for Schengen C type visas and France is representing Portugal for Schengen C type visas.

### **2. LSC meetings held in 2013-2014**

During the reporting period one LSC meeting took place. It was well attended by EU MS and chaired by the EU Delegation. In addition a meeting in the framework of the post visa liberalisation mission was held in January 2014 which was also attended by EU police liaison officers.

### **3. State of play**

#### **3.1 Application of the Visa Code**

EU MS did not report any particular issue/problem related to the application of the Visa Code.

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

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<sup>3</sup> April 2013 – March 2014

The harmonisation of the list of supporting documents was completed before the Visa Liberalisation entered into force.

### **3.3 Exchange of information**

The level of exchange of information within the LSC was good. Overall, MS shared information on problems related to the rise of asylum seekers to some EU Members States. Bilateral exchange of information also took place. Information on fraud and suspect travel documents was shared.

### **3.4 Any other initiative taken in LSC**

Nothing to report

## **4. Challenges**

Nothing to report for the period 2012-2013. Regarding the period 2014-2015 the increase of asylum applications and the Albanian counter measures will have to be closely followed.

## **5. Other issues**

Nothing to report



UNION EUROPEENNE

DELEGATION EN ALGERIE

20.05.2014

## **COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC) EN ALGERIE RAPPORT<sup>4</sup> 2013-2014**

### **1. Introduction**

Etats membres de l'espace Schengen qui ont une présence diplomatique/ consulaire en Algérie: AT, BE, CH, CZ, DE, EL, ES, FI, FR, HU, IT, NL, NO, PL, PT, SE.

Accords de représentation pour les questions de visa: AT, BE, CZ, DE, FR, HU, PL représentent respectivement SI, LU, SK, LT, MT, LV, SE. En cas d'urgence et sur la base d'une demande expresse BE peut également délivrer des visas pour NL.

Recours aux prestataires de service extérieurs pour la réception des demandes de visa: EL, ES (le prestataire VFS Global); FR, IT (le prestataire TLS Contact).

Spécificités locales relatives à la délivrance des visas:

- un nombre important des demandeurs de visa qui déposent leurs demandes auprès des consulats/ ambassades des Etats membres ont en réalité pour but final le voyage ou l'émigration notamment en FR ou en ES.
- certains Etats membres ont signalé une problématique spécifique liée aux "mariages blancs" avec des ressortissants UE;
- des nombreuses tentatives de fraude (notamment la falsification des justificatifs relatifs à la situation socio-professionnelle des demandeurs de visa).
- dans le cas des certains Etats membres, les délais pour obtenir un rendez-vous sont généralement longs en raison du grand nombre de demandes, notamment pendant la haute saison (juin à octobre).
- dans le cadre d'une convention entre le Ministère de la Défense de l'Algérie et des hôpitaux belges, BE délivre environ 600 visas médicaux par an.
- NL offre un programme appelé Programme Tapis Orange (Programme VIP) qui vise à faciliter le traitement des sociétés membres.
- Une procédure spécifique, instaurée en 2011 pour les demandes de visa déposées en vue de soin médicaux dans un établissement hospitalier français avec une prise en charge par les organismes sociaux algériens, notamment la CNAS (Caisse Nationale des Assurances Sociales des Travailleurs Salariés), a été renforcée. Pour mieux lutter contre les détournements de l'objet du visa de tourisme à des fins médicales, qui, lorsque les soins ne sont pas pris en charge par les autorités algériennes ou par le patient lui-même, aboutissent à des contentieux financiers importants, un véritable partenariat a été mis en place avec la CNAS.

### **2. Réunions LSC organisées en 2013-2014**

La Délégation de l'UE en Algérie est responsable de la coordination des réunions LSC.

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<sup>4</sup> Avril 2013 – Mars 2014



5 réunions habituelles (en avril, juillet, décembre 2013; janvier, mars 2014) ainsi que 1 réunion affaires sécuritaires-affaires consulaires-LSC au sujet de la coordination en situation de crise, avec la participation des pays-tiers non-membres de Schengen (octobre 2013) ont été organisées dans la période de référence.

Les Etats membres concernés représentés en Algérie participent régulièrement aux réunions de coordination. BG, HR, RO, UK sont invités pour échanger des informations sur des questions relatives aux visas.

Les rapports des réunions, concernant les travaux d'harmonisation et les projets de liste harmonisée des justificatifs devant être produits par les demandeurs de visa, ont été établis par la Délégation de l'UE et partagés avec les Etats membres. Les Etats membres communiquent en général les rapports avec leur capitale et, dans certains cas, établissent aussi leurs propres rapports.

La coordination LSC est assurée également en dehors de la capitale. Les représentants des Etats membres communiquent à leurs consulats généraux les conclusions des réunions de coordination.

### **3. Etat des lieux**

#### **3.1 Application du Code des Visas**

Les Etats membres et la Délégation de l'UE ont activement collaboré afin d'assurer les tâches à accomplir dans le cadre de la coopération consulaire au titre de Schengen prévues par le Code des Visas. Dans la période de référence, l'activité de coopération a été axée principalement sur les travaux d'harmonisation et l'élaboration d'un projet de liste harmonisée des justificatifs devant être produits par les demandeurs de visa, ainsi que sur l'échange d'informations (concernant les cas de fraude et l'utilisation de faux documents, les statistiques des visas délivrés/ refusés, les délais de rendez-vous etc.).

#### **3.2 Estimation du besoin d'harmonisation de la liste des documents justificatifs.**

Les travaux d'harmonisation sont en cours. En mars 2014 le Comité Visa a décidé que le projet de liste approuvé par la coopération locale au titre de Schengen pourrait être adopté par une Décision d'exécution de la Commission. En vue de l'adoption finale, la Commission entamera une procédure écrite afin d'obtenir l'opinion du Comité.

#### **3.3 Echange d'informations**

L'échange d'informations entre les membres LSC se déroule à l'occasion des réunions de coordination ou électroniquement (via internet). Les membres LSC échangent, en fonction des besoins, des informations statistiques sur les visas délivrés/ refusés, les entreprises d'assurances qui fournissent des assurances médicales de voyage conformes, les cas de fraude et d'utilisation de faux documents, l'immigration, les sources d'information au niveau local (concernant la sécurité sociale, l'assurance maladie, les registres fiscaux).

#### **3.4 D'autres initiatives prises en LSC**

En 2013, l'Ambassade de France en Algérie a organisé une formation sur la détection des faux titres de voyage, avec la participation du personnel consulaire des Etats membres.

En mars 2014, les membres du LSC ont participé à une session d'information sur le contrôle des documents et la lutte contre la fraude de visa et la falsification des documents, organisée par l'Ambassade des États-Unis en Algérie, en présence des représentants des Douanes Algériennes, de la Police des Frontières, ainsi que des représentants des compagnies aériennes.

Les membres du LSC ont décidé également d'inviter le Chef de la Délégation du CICR et ses collaborateurs pour une présentation des activités du CICR en Algérie, afin d'entamer un dialogue sur les questions d'intérêt commun (la migration illégale).

#### **4. Défis**

Points à traiter au cours du prochain exercice (2014-2015):

- Le suivi de l'application par les Etats membres de la future Décision d'exécution de la COM établissant la liste des documents justificatifs devant être fournis par les demandeurs de visa en Algérie.
- Assurer une plus grande visibilité des règles et procédures du système Schengen.
- Raccourcir les délais de rendez-vous pour les demandeurs de visa.
- Renforcer davantage la coopération et l'échange d'information entre les membres LSC.

#### **5. Divers**

Dans la période de référence, la Délégation de l'UE a agi en tant qu'interface entre les institutions européennes et les membres LSC pour des questions concernant:

- les nouvelles règles de calcul de la durée des courts séjours des ressortissants des pays tiers dans l'espace Schengen;
- le tableau de reconnaissance des documents de voyage (l'annexe 10 du Manuel du Code des visas);
- la mise à jour du site Internet dédié à la protection consulaire (<http://ec.europa.eu/consularprotection/>);
- la publication des statistiques globales (2013) pour les Etats Schengen;
- la liste non exhaustive des passeports fantaisistes ou des passeports de camouflage notoires (l'article 6 de la décision 1105/2011/EU);
- la liste des pays tiers dont les ressortissants sont soumis à l'obligation de visa pour franchir les frontières extérieures des États membres et la liste de ceux dont les ressortissants sont exemptés de cette obligation (en application du règlement (CE) n° 539/2001 du Conseil du 15 mars 2001).

*Le rapport a été approuvé par tous les États membres présents en Algérie.*



EUROPEAN UNION  
DELEGATION TO ARGENTINA

Buenos Aires, 28 May 2014  
Ref. Ares(2014)1764325

## LOCAL SCHENGEN COOPERATION (LSC) Buenos Aires/ARGENTINA

### ANNUAL REPORT 2013–2014<sup>5</sup>

#### 1. Introduction

In Buenos Aires, consular meetings are organised by the Member States in charge of the EU rotating presidency, in cooperation with the EU Delegation. To date, and since the EU Delegation took on Lisbon competencies in January 2011, the local Schengen cooperation meetings have been held after the consular meetings, which are organised by the Member State holding the presidency, with the support of the EU Delegation.

Please note that Argentinian citizens do not need a visa to enter Schengen territory for a period of 90 days (within a period of 180 days) which, together with the high number of people with multiple citizenship, sets the tone for local cooperation. In addition to visas granted to Argentinian citizens for longer stays, visas are granted to citizens of third countries who are resident in Argentina, for visits and transit purposes. It should also be noted that there are many citizens of EU Member States and dual nationals resident in Argentina (more than one million in total), who are the priority for European consulates. For this reason, Schengen cooperation is not a tricky issue in a country which presents virtually no risks as far as migration is concerned, either for Member States or for the EU Delegation, which lacks resources on this issue.

A large number of EU Member States are represented in Argentina, with 22 embassies in Buenos Aires carrying out several different consular tasks, including Croatia, a new EU Member State, as well as **Norway and Switzerland**, which are **Schengen countries** outside the EU:

1. **Germany**
2. **Austria (represents Malta)**
3. **Belgium (represents Luxembourg)**
4. *Bulgaria*
5. *Croatia*
6. **Slovakia**
7. **Slovenia**
8. **Spain**
9. **Finland**
10. **France**

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<sup>5</sup> April 2013 — March 2014

11. **Greece**
12. **Hungary**
13. *Ireland*
14. **Italy**
15. **The Netherlands**
16. **Poland**
17. **Portugal**
18. *United Kingdom*
19. **Czech Republic**
20. *Romania*
22. **Norway (represents Denmark, Iceland and Sweden)**
23. **Switzerland**

## **2. LSC meetings held in 2013 and at the beginning of 2014**

2013 was a complicated year in Buenos Aires with regard to the organisation of Schengen cooperation meetings, since Ireland, which held the Presidency in the first half of the year, is not part of the Schengen area and Lithuania, which held the Presidency in the second half of the year, is not represented in Argentina.

Consequently, as in 2012, the EU Delegation to Buenos Aires requested France's assistance with organising the Schengen cooperation meetings.

Two well-attended Schengen cooperation meetings were held in 2013 in the EU Delegation in Buenos Aires (on 16 April and 7 November). The reports were drafted by France. To date, there has been no formal coordination outside Buenos Aires. At all events, no such coordination has been requested by the parties in question.

There was a meeting on 11 March 2014 under the Greek Presidency.

## **3. Current situation**

### **Application of the Visa Code**

The Visa Code is in force in Argentina. Each meeting is an opportunity to exchange concerns or good practices with regard to visas and to disseminate or highlight common instructions (jurisdictional rules or calculation of residence periods).

The implementation of the Visa Information System (VIS) in the second half of 2013 was an important step forward in Schengen cooperation, as it is no longer necessary to send visa rejection data by email between Schengen consulates. Most Schengen consulates confirm that the VIS functions swiftly and smoothly.

### **3.1. Exchange of information**

The Member States consider that exchanging information is useful, constructive and effective. The Member States exchange information on specific *ad hoc* issues by email or telephone.

### **3.2. Other initiatives taken under the LSC**

It was considered that it would be very useful to incorporate an autonomous and hermetic work folder for Schengen issues in the AGORA system, as for consular cooperation.

## **4. Challenges for 2014**

The main challenge for 2014 with regard to Schengen cooperation will be to continue to hold regular meetings (at least two a year) and to ensure that information is exchanged smoothly.

## **5. Other issues**

There are no particular issues requiring attention.



Delarme/D/2014/00441  
08 May 2014

## LOCAL SCHENGEN COOPERATION (LSC) IN DELEGATION TO ARMENIA 2013-2014 REPORT<sup>6</sup>

### 1. Introduction

*Currently 11 MS have resident embassies in Armenia; 6 of them (France, Germany, Greece, Italy, Lithuania and Poland) have consular sections issuing Schengen visas. In 2014 Sweden opened an embassy in Yerevan; however visas to Sweden are still issued by the German Embassy in town. Polish Embassy issues visas also to Czech Republic and Switzerland starting 2014. The UK and Schengen candidate countries Bulgaria (also represents Montenegro and in future Croatia), Romania have embassies in Armenia, which issue visa. The Cyprus Consulate also issues visa. All visa-issuing consular departments are in the capital, Yerevan.*

*For visa purposes, France represents Portugal, Norway, Iceland; Germany represents Belgium, The Netherlands, Luxemburg, Sweden and Austria; Italy represents Finland and Malta; Lithuania represents Spain, Denmark, Hungary, Latvia, Estonia,. Poland represents Slovenia, Slovakia, Czech Republic and Switzerland. In the reporting period, Schengen meetings were coordinated by the EU Delegation.*

*Visa Facilitation and Readmission Agreements entered into force on January 01, 2014.*

### 2. LSC meetings held in 2013-2014

*Several LSC meetings took place in the reporting period, more frequently in the end of 2013 and beginning of 2014 after the VF and RA Agreements were ratified by both sides. The harmonized list of visa supporting documents was the main agenda point. The meetings were well-attended with Romania and Bulgaria as observers. The EU Delegation chaired the meetings and made reports afterwards.*

### 3. State of play

*The Visa Facilitation and Readmission Agreements entered into force on January 01, 2014. The MFA invited the Delegation and the MS Consuls to discuss a joint public awareness campaign. The draft harmonized list has been discussed in the Visa Committee in Brussels; comments have not been received by end of March<sup>7</sup>. The Delegation has prepared and disseminated information leaflets as well as broadcasted a video clip on two main TV channels. A press conference with participation of the Delegation, MFA, German, French consuls and EU Advisory Group was*

<sup>6</sup> April 2013 – March 2014

<sup>7</sup> The comments were received after the reporting period, i.a. in April 2014

*organized as another step in the public awareness campaign. The Delegation funded an initiative of two non-governmental organizations to conduct students-oriented and youth-led long term project entitled "Visa Free Armenia".*

### **3.1 Application of the Visa Code**

*MS are prepared to carry out the tasks under the Visa Code. MS have not reported any specific problems related to the implementation of the Visa Code.*

### **3.2 Exchange of information**

*Some embassies regularly send their visa statistics as well as inform about possible visa fraud and refusals. However, lack of cooperation from certain MS can be felt. Embassies have their approved list of TMI agencies.*

### **3.3 Any other initiative taken in LSC**

*The Delegation twice invited the immigration officer of the Dutch Embassy in Kiev who made presentation on abuse of documents/ Schengen visas at the airports. A Local IOM representative was invited to make a Presentation of a base-line survey on the implementation of the EU Visa code. The survey had been held under the supervision of IOM within the EU-Funded "Evidence-based management of labour migration" project.*

*The delegation developed a single template for visa statistics reporting. The delegation in cooperation with MS consuls will also prepare a common information sheet for visa applicants once the harmonized list of visa supporting documents is approved.*

## **4. Challenges**

*In the reporting period the greatest challenges according to some MS consuls were high migratory risk and high rate of asylum seekers from Armenia who often obtained visas from embassies other than those of their final destination. Among other concerns the consuls mentioned absence of VIS and impossibility to verify sometimes the authenticity of submitted documents.*

*In the next reporting period i.a. VF and RA agreements implementation is expected to be addressed.*



**EUROPEAN UNION**

DELEGATION TO AUSTRALIA

4 June 2014

## **LOCAL SCHENGEN COOPERATION (LSC) AUSTRALIA 2013-2014 REPORT<sup>8</sup>**

### **1. Introduction**

*As in previous years, there are 20 Schengen countries regularly participating in the LSC Group (Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Malta, Netherlands, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden and Switzerland). Estonia has also begun to sporadically attend. In addition the Observer Countries also attend on a semi-regular basis. (Bulgaria, Croatia and Romania) with Cyprus taking part in all meetings.*

*Following the separation of the LSC and Consular group in 2012, the Delegation introduced back-to-back meetings in October 2013 and has continued this format for subsequent meetings.*

### **2. LSC meetings held in 2013-2014**

*There were three regular meetings of the LSC group within this period all chaired by the Head of the Political Section in the Delegation as well as an ad-hoc meeting ahead of the VIS roll-out chaired by the Head of the Economic Section in absence of the Head of the Political Section. The general attendance was good with most if not all participants being present. The minutes of the meetings were prepared by the Delegation and shared with the group and submitted to HQ. We can confirm that MS share the minutes with their capitals. There have been no regular LSC meetings outside the capital Canberra, though a request to hold at least one in Sydney has been raised and we are looking into the possibility to hold a meeting in Sydney later this year.*

### **3. State of play**

#### **3.1 Application of the Visa Code**

*More MS are combining resources with regard to issuing visas and the subject of a Schengen House was discussed briefly as was the experience of some MS to use private contractors. The LSC also discussed the new rules and the tool to calculate short stay visas.*

*Some MS still have issues regarding “visa shopping”. The EUDEL has a meeting scheduled in early June and will present the group with the new proposed legislation and will report their response in due course*

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<sup>8</sup> April 2013 – March 2014



*The EUDEL held an extraordinary meeting with the LSC group in On 28<sup>th</sup> April 2014 to present the new VIS documents enabling the group discuss the roll-out and bring up any concern (reported to HQ). All countries advised that they were aware of the roll-out and would be ready by the 15<sup>th</sup> May deadline (with the possible exception of Portugal). A general discussion ensued with those countries already using the system giving a brief overview of their experiences. Representatives did not express any particular concerns.*

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

*The EUDEL has recently launched a new call to establish a list of supporting documents requested by MS for visa applications. We sent the MS a table containing a non-exhaustive list of possible supporting documents drawn from Section 6.2 of Commission Decision C (2010) 1620 establishing the Handbook for the processing of visa applications and the modification of issued visas. We are currently collating the responses which will enable us to take a decision as to whether or not we should work towards a harmonised list of supporting documents for Schengen visa issued in Australia. Once this decision has been made, we will also address the issue of the exemptions from visa fees.*

### **3.3 Exchange of information**

*The EUDEL created an extensive spread sheet enabling us to accurately collect and record visa statistics on a quarterly basis from each of the LSC MS. This data is sent to HQ each quarter and shared with MS. It is also uploaded onto the password protected AGORA Intranet to which member states have access, together with all other information shared.*

### **3.4 Any other initiative taken in LSC**

*In the past, the LSC Group has worked towards harmonisation of the Visa Information Sheet. However, as HQ are currently working to produce a new template, this issue has been put on hold and will be revisited in due course once a new template has been made available.*

*MS have repeatedly raised the issue of bi-lateral agreements co-existing with EU rules. We are confident that this issue will be resolved with the passing of the new package of proposed legislation.*

## **4. Challenges**

*The EUDEL would like to ensure the harmonisation of the Visa Information Sheet is agreed upon and introduced during the next reporting period. As well, MS finally agreed to the harmonisation of supporting documents. The EUDEL will now work towards an agreed list and will then look towards the possible harmonisation of visa fees.*

*A majority of the MS represented in Canberra are also accredited to many of the countries in the Pacific. The introduction of biometrics for the Schengen visa will mean that people from the Pacific will have to travel to Australia (for which they will also need a visa), to apply for a Schengen Visa. With the visa free regulation coming up soon with most of the Pacific countries, this temporary situation will be hard to explain to Pacific Islanders and will most likely result in fewer visas granted.*

## 5. Other issues

*No other issues at present*

*\*\*This report has been shared with and approved by the Local Schengen Corporation Group.*



27 May 2014/ Baku

## **LOCAL SCHENGEN COOPERATION (LSC) IN AZERBAIJAN 2013-2014 REPORT<sup>9</sup>**

### **1. Introduction**

The EU Delegation has taken the chairmanship of the LSC in Azerbaijan in July 2010 and has been in charge of coordination of the group since then, organising meetings and providing support were necessary in close communication with national authorities.

There are 17 diplomatic missions of EU member states accredited to Azerbaijan (Croatia and Sweden joint the family in reporting period). Denmark, Estonia, Finland, Ireland, Malta, Slovak Republic, Slovenia, Spain have their diplomatic representations accredited outside of Azerbaijan. From non-EU Schengen Countries Norway and Switzerland have diplomatic missions in Baku. Spain has signed MoU for co-habitation on EU premises and will open mission in May 2014.

12 LSC member states are physically present and providing consular services in Azerbaijan: Austria, Czech Republic, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Norway, Poland, and Switzerland. In the reporting period the number of Schengen MS consular posts remained the same. There are no LSC consular sections outside Baku.

The following Schengen countries are represented by other Member States as follows: Belgium (represented by France), Denmark (represented by Norway), Estonia (represented by Latvia), Finland (represented by Norway), Iceland (represented by Norway), Luxembourg (represented by France), Malta (represented by Italy), Netherlands (represented by France), Portugal (represented by France), Slovak Republic (represented by Latvia), Slovenia (represented by Latvia), Spain (represented by France), Sweden (represented by Norway).

None of the LSC members are using currently external service providers. However, France finished preparations for use of the third party outsourcing services (starting 26 of May, 2014) and Germany considers to use external service providers (AZ-DE Chamber of Commerce will collect applications from members of this institution – AZ entrepreneurs and top managers from private companies registered in the Chamber).

LSC meetings are organised on a regular basis since September 2010. They are, as a rule, all held in the premises of the Delegation of the European Union to the Republic of Azerbaijan (EUD) and occasionally held back to back with EU consular meetings.

During the reporting period, the negotiations on the Agreements on Visa facilitation and readmission between EU and Azerbaijan were finalised in July 2013. Both Agreements were initialled in July 2013. The EU-AZ Visa Facilitation Agreement was signed at 29/11/2013 on the side-lines of EaP Summit in Vilnius. The EU-AZ Readmission Agreement was signed on 28/02/2014 in Brussels. AZ approved the law 890-IVQ (03/02/2014) and internal procedures required for ratification of the Visa Facilitation Agreement are done. AZ will do the same with the Readmission

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<sup>9</sup> April 2013-March 2014

Agreement. Most likely both packages of the Agreements will be ratified in near future also by EU and Agreements will be endorsed in early autumn 2014.

Azerbaijan and Norway also concluded bilateral negotiations on Visa Facilitation and Readmission Agreements and most likely will sign soon both packages. On the current stage, Norway and Azerbaijan recently finished with language correction; the agreements are not initialed, and will probably never be, since this is not required from Norwegian authorities (unless the Azerbaijani side insists).

Switzerland has declared from the beginning of negotiations to the Azerbaijani side that Switzerland cannot apply the Visa Facilitation and the Readmission agreements prior to the implementation of the EU similar agreements with Azerbaijan. Azerbaijan has understood reasoning and therefore never pushed for a rapid completion of internal procedures. After a first negotiation round in June 2013 in Bern and a second round at the end of October 2013 in Baku the negotiation process is still ongoing. There are still details in the text that need to be corrected. As soon as Switzerland will have the final version from the Azerbaijani side and the green light for the definitive agreement texts are available, the national procedures stands in the way. Thus, the agreements will presumably be approved by the Swiss government (Swiss Federal Council) at the end of August / beginning of September 2014.

## **2. LSC meetings held in 2012-2013**

In the reporting period, The LSC meetings were held regularly every 2-3 months. As a result there were in total 5 regular meetings: 3 in 2013 (30/04; 25/07; 30/10) and 2 in 2014 (30/01, 26/02). The meetings are called upon and chaired by the EUD. The LSC meetings are usually well attended, gathering 10 to 12 MS on average. Among the LSC member states accredited to Azerbaijan and seated abroad none attended the LSC meeting. They are nevertheless invited and debriefed on the outcomes of meetings. Bulgaria, Romania and U.K. participated on the meetings upon the common agreement of the LSC participants.

In addition to regular meetings, one meeting was organised on the specific subject (Consular protection of EU nationals) by initiative of German Embassy in July 2013, another one on extradition of foreigners to AZE and prison conditions in April 2014, also by initiative of German Embassy.

Meeting agendas, working drafts and agreed drafts of documents drawn up by the EU Delegation have been sent for consultation to all MS before circulating them to Brussels.

The meetings addressed general issues in connection to the application of the Visa Code as well as specific concerns of the participants in connection with local issues. The elaboration of a harmonized list of supporting documents and multiple redrafting occupied major part of all LSC meetings since 2010 and until spring of 2013. EUD also debriefed on the state of play on Visa Facilitation/Readmission agreements negotiation. Matters of mutual interest covered the updating of the contact list for LSC consuls, visa statistics, relation with MFA consular department, translation of forms and documents in Azerbaijani, exchange data on suspicious applicants, harmonisation of visa fees and fee exemptions, harmonisation of supporting documents, AZ visa policy and practices in particular Schengen countries, migration risks and asylum practices etc.

Some LSC consuls have direct access to the **CIRCABC**<sup>10</sup> extranet (EU Commission collaborative software tool) and can follow uploads prepared by DG Home in JHA section, but majority of consular posts receive information exclusively from their capitals.

The reporting practice on the LSC meetings did not change from the previous period. Due to the negotiations on Visa Facilitation and Readmission Agreements, EUD and Norway/Swiss kept all consuls and Heads of Missions updated on latest development. The EUD distributed non-sensitive

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<sup>10</sup> <http://circabc.europa.eu/>

information via established Local Schengen distribution list. All working documents are usually sent to capitals for instructions and comments. Major part of all Schengen MS also sent brief notes concerning issues of high importance beforehand and discussed meeting conclusions with their own hierarchy in embassies (DHoMs and HoMs meetings) and in capitals.

### 3. State of play

#### 3.1 Application of the Visa Code

The process has been handled relatively smoothly and the system is up and running efficiently. The Visa Code is implemented with maximum capacity by local consulates. All posts/consuls are well informed and trained to run local consular offices and apply common visa policies, assess migration/security risks etc. The communication and coherent cooperation between locally accredited consulates is well established and the standardisation of practices is ongoing working process. As a result, Schengen consular posts achieved a very low rate of refusal (3,25%) and issued in 2013<sup>11</sup> over 62,000 C and D type visas (including 12,640 multiple entry visas). MS are convinced that in next period the total number of visas and especially multi-entry visas will continue. The rise and use of outsourcing services could help meet the growing demand.

Mutual efforts were made a.o. to ensure the exchange of information on bad practices: "visa shopping" by North-Eastern and Southern Asian country students, false proof of employment, false proof of booking or reservation accommodation. MS paid special attention and deeply analysed some single cases with particular individuals representing different groups (car buyers, sportsman, business people, and individuals travelling for medical treatment or tourism purposes).

The LSC in Azerbaijan has an interest to participate in the regional and local training seminars which could be provided by experts coming from single MS and from specialized EU agencies (FRONTEX).

Schengen MS consulates continued to collect statistics on asylum seekers since 2010 and are sharing the opinion, that AZ is posing the risk of illegal migration not like a transit country for third country nationals, but as country of origin where some citizens are willing to immigrate from Azerbaijan to Schengen area using illegal ways. According to Eurostat, the total number of asylum seekers from AZ to EU countries rose last year by 36% and has reached a two decade high. According to the latest report of the UN High Commissioner for Refugees (UNHCR), two neighbouring to Azerbaijan countries (Russia and Iran) are among top 10 (ranking accordingly 2<sup>nd</sup> and 9<sup>th</sup> places, and Azerbaijan itself ranks 34<sup>th</sup> for the number of asylum seekers in Europe and is ranked far beyond other CIS, Eastern Partnership and even South Caucasian countries. The most attractive European countries for asylum seekers from AZ are France, Germany, Sweden and Norway. MS discussed results of few local surveys clearly indicating the rising intention for migration due to different reasons (political, socio-economical, personal).

The DG Home experts informed the LSC MS that Visa Code will be modified. Introduced on 1 April, 2014 a Commission proposal was already expected. According to working document, if changes to Visa Code will be accepted it will facilitate more simple procedures and as a result a number of visitors from Azerbaijan and other countries will increase. MS are convinced that local consular offices already meet all major requirements mentioned in the Commission proposal (average time of visa processing is already less than 10 days, MS representing non-resident MS etc).

The LSC in Azerbaijan discussed *specific problems related to the implementation of the Visa Code*. Germany, France, Austria, Switzerland and Norway were the most frequent interlocutors, as they have the largest number of visas issued in the host country. In addition, exchange of information took place a.o. on issues such as visa statistics (how to showcase number of different multi-entry

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<sup>11</sup> January-December 2013

visas), new system of Azerbaijani e-visas, the treatment of official notes from government bodies etc. Discussions also led to new consuls being fully briefed and trained on the job by colleagues (CH, HU, PL, NOR). The issuing of visas for minors and the consent of parents / legal guardian also differs in practice.

Different approaches continue to be applied for the booking of meeting time in *Schengen consulates*. In general, it is easy to get appointments in a major number of consular posts with some minor exceptions due to (a) large nr of applications (FRA), consular posts (b) some peaks prior to local public holidays.

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

During reporting period, LSC submitted the semi-final version of harmonised list of supporting documents to DG Home for onward communication to Visa Committee meetings and Visa Committee pre-approved it (26/03/2013). Visa Committee informed LSC that once the negotiated EU-AZ Visa Facilitation/Readmission Agreements (VFA/RA) will be signed and becomes applicable, the final version of list will be formally adopted by Commission. Visa Committee has proposed to start implementation of pre-approved draft of the harmonized list by local LSC consulates in daily practice. MS discussed (30/04/2013) an option to start immediately an implementation of the pre-approved list of supporting documents, but they reached consensus that use of draft will create unpredictable legal consequences and unanimously refused to accept this particular suggestion of the Visa Committee. However, MS feel a general need for harmonisation of supporting documents and their practices in this regard, because different approaches create space for visa shopping and put Schengen states consuls in a vulnerable position. MS are looking for a COM Implementing Decision once VFA will become applicable since 2015 autumn.

### 3.3 Exchange of information

#### Monthly Statistics

Statistics, in line with requested format, are provided regularly to the EUD on a monthly or quarterly basis (see attached table). EUD then compiles these statistics into an annual overview. Some embassies with limited number of applicants provide the information regularly. Others with more applications per month, such as FR, DE or IT, have to extract the information needed from their own electronic systems. The process takes time and data are not always readily available. All however endeavoured (and succeeded) in providing data at regular intervals in I-st quarter of 2014.

#### Anti-fraud activities

LSC successfully utilise the system of information exchange between MS already for few years. MS generally act in real-time to inform others of persons holding several passports, visa annulments and/or migration alerts. Few cases of fraud were reported (FRA) during the reporting period (falsified supporting documents). This led to more attention being paid to specific applications and cautious exercised vis-à-vis some supporting documents. Third country nationals (mostly Pakistani and Bangladeshi students) visited few consulates to find the weakest points in the system, but never returned back.

Unofficial visits of officials and misuse of ex officio position for issuing Note Verbal were another topics discussed on LSC meetings. The Consular Department of MFA proposed to accept NV for official visits only initialled by the Director of Consular Department.

Several approaches are still presented *regarding Schengen travel medical insurance* (TMI). All MS required having the TMI valid throughout the period of the visa validity. Austria requested the special athletic insurance for the sport and sporting events, informing the applicant or whole team that the specific insurance police provides not only "*general and accident medical coverage*", which offers also *participant liability* referred as additional coverage for injury and/or occurrences for the camp/event participants/volunteers/spectators as well as coaches and staff. MS reported no problems in cooperation with the local insurance companies due to the fact that policies in AZ correspond to the requirements of the Visa Code.

### 3.4 Any other initiative taken in LSC

- Regular meetings with MFA's Consular department

EUD and MS are interested to continue with regular formal or informal meetings with Azerbaijani MFA Consular Department staff. The regular formal exchange of information between the Azerbaijan's Ministry of Foreign Affairs and local consular is not a reality and MS are still willing to achieve this objective in mid-term.

- Observers

LSC cooperation extends to other like-minded nations (Romania, Bulgaria, UK) with regular meetings and trainings to learn from each other. It has also been helpful for Consuls in their daily work to obtain information on visas issued or refused from those embassies.

- Migration and Mobility partnership

The EU-Azerbaijan Declaration and action plan on Mobility Partnership have been signed in December 2013. No actions have been initiated in reporting period.

## 4. Challenges

### 1. *Describe the response to challenges, if any, listed in the 2012-2013 report*

- MS made a lot of efforts towards upgrading the mechanism to address suspected cases of visa fraud or migration alerts and regular exchanges proved to be efficient.
- MS continued exchange information in matters of relevance to the LSC consuls to ensure standardisation of practices (for example regarding multiple visas).
- It was not achieved remarkable progress on the establishment of a common information sheet, as per guidelines, and Local Schengen Manual that would serve as country introduction for new consular staff/ new MS.
- MS have not been started enhanced cooperation between consular offices through exchange of personal/on the job training.
- During last reporting period none training sessions in Baku with participation of competent Commission DG and MS experts on LSC issues were organised.

### 2. *Describe subjects to be addressed within the next reporting period (2014-2015).*

LSC Azerbaijan has set a number of goals for the next period. Those can be listed as follows (list non exhaustive):

- The final version of the Harmonisation of lists of supporting documents will submitted to DG Home, possible adopted by Commission and MS will synchronize the implementation of list in the framework of endorsed Visa Facilitation and Readmission Agreements.
- Establish format for regular meetings between MS and Azerbaijan's MFA Consular Department.
- Exchange of good practices regarding introduction of VIS.
- Organise few training sessions in Baku with participation of competent Commission DG and MS experts on relevant to LSC issues.
- Establishment of a common information sheet, as per guidelines, and Local Schengen Manual that would serve as country introduction for new consular staff/ new MS.

## 5. Other issues

Visa application centres: France and UK finalised negotiations with one international company, which will provide outsourcing services for collecting and returning processed applications.





20/06/2014

## **LOCAL SCHENGEN COOPERATION (LSC) in MINSK (BELARUS) 2013-2014 REPORT<sup>12</sup>**

### **1. Introduction**

Ten Schengen Member states deliver visas (Czech Republic, Estonia, France, Germany, Hungary, Italy, Latvia, Lithuania, Poland and Slovakia) out of fourteen (+ Austria, Finland, Sweden and Switzerland) present in Minsk. Bulgaria and Romania are also present and deliver visas. The United Kingdom was present and delivered visas until March 2014. In November 2013, a visa center was opened in Minsk for the collection of applications for Denmark and Spain (located in Moscow).

As representation is concerned, please note the following:

- Estonia represents Finland and Sweden;
- France represents Iceland and Norway;
- Germany represents Austria, Belgium, Luxembourg, the Netherlands and Slovenia;
- Hungary represents Switzerland;
- Italy represents Malta;
- Latvia represents Spain in Belarus, and represents Estonia, France and Poland in Vitebsk consular district;
- Lithuania represents Greece; Lithuania also represents Estonia in Grodno (Grodno and Brest regions);
- Slovakia represents Portugal.

The MS work towards the full implementation of the Council conclusions of 2011 and 2012 on Belarus.

### **2. LSC meetings held in 2013-2014**

During the reporting period (past 12 months), there have been five LSC meetings (May, September, December 2013 and February 2014).

Attendance: the meetings are generally very well attended; from 9 to 10 MS were present in the meetings.

As previously, EUDEL is organising and chairing these meetings in its premises. Embassies of Bulgaria and Romania are always invited to the meetings and attend most of them. EUDEL draws up the meetings' minutes and disseminates first draft among LSC members for comments before their final adoption. Also, EUDEL asks MS for input to the meetings' agenda before each meeting. Some MS send the minutes of the meetings to their capitals.

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<sup>12</sup> April 2013 – March 2014

EUDEL organised an ad hoc meeting in February 2014 with the national association of international carriers.

The four MS consulates generals outside Minsk are fully informed about the LSC meetings via e-mail (receive meetings' agenda, minutes, questions by one MS to other MS, etc.).

### **3. State of play**

#### **3.1 Application of the Visa Code**

MS and EUDEL are used to work on the implementation of the Visa Code, and discussions in the meetings are professional and focussed. The tasks to be carried out in LSC under the Visa Code are well understood and taken seriously. EUDEL sent questions on the implementation of the Visa Code and the answers were collected in a table agreed by all. EUDEL has launched a review of the table, aiming at harmonising the practices as much as possible.

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

The common list of supporting documents has been approved and is now a legally binding document for all the Member states. The EU Delegation has initiated a monitoring exercise on the implementation of the common list by the Member states and will report regularly to Local Schengen Cooperation Group and to the Commission. At this stage, there is no need to amend the list.

#### **3.3 Exchange of information**

EUDEL gathers visa statistics from the MS on a monthly basis and circulates the aggregated table. LSC members use e-mailing when trying to investigate any questions concerning cooperation with certain travel agencies, cases of fraud or any other issues related to visas activity. In February 2014, EUDEL organised an ad hoc meeting with the national association of carriers, with whom there have been issues related to doubtful contracts or practices.

#### **3.4 Any other initiative taken in LSC**

LSC members have decided to review their practices on the way and to whom multiple-entrance visas are issued, with an aim to harmonise. For such an objective, they have established a common table of the practices, and try to harmonise.

EUDEL hosted 3 training session on fraud organised by the French Immigration Officer in June 2013, November 2013 and January 2014, for the consular staff in the Member states Embassies. 30 persons have been trained on fraudulent travel documents (passports, visas, etc.).

## 4. Challenges

### 1. Response to challenges listed in previous report:

Some work has been done on the facilitation of issuing more multiple-entry, long-term visa, and on the use of flexibility of the VC regarding visa fee waiver and visa fee reduction, with a comprehensive tables that includes all the practices by the LSC members, but it has not been possible to harmonise the practices yet. The same applies to the common criteria (art. 48(1)(b)) (visa fee waiver and translation of application form).

On fraud issues, several training sessions have been organised with a MS Immigration officer. This has been highly appreciated by the LSC members.

### 2. Subjects to be addressed within the next reporting period (2014-2015):

- 24(2): Facilitation of issuing multiple-entry, long-term visa
- Maximal use of flexibility of the VC regarding visa fee waiver and visa fee reduction
- Common criteria (art. 48(1)(b)) (visa fee waiver and translation of application form)
- Implementation of the list of supporting documents (art. 14 and 48(1)a)
- Harmonisation of the application of visa fee waiver (art. 16(5) and (6))

*Approved by MS in Minsk via silence procedure*



08/07/2014.

## **COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC) AU BENIN RAPPORT<sup>13</sup> 2013-2014**

### **1. Introduction**

*Au Bénin, cinq Etats Schengen ont des représentations diplomatiques habilitées à délivrer des visas : l'Allemagne, la Belgique, le Danemark, la France et les Pays Bas.*

*L'Ambassade du Danemark fermera officiellement ses portes à partir du 1<sup>er</sup> juillet 2014, et depuis le 31 mars 2014, l'ambassade ne traite plus les visas directement. Les demandes de visa traitées traditionnellement à Cotonou sont orientées de la façon suivante:*

- Les citoyens du Bénin, du Cameroun, du Gabon, de la Rép. du Congo (Brazzaville) et du Togo, demandeurs de visa ou permis de séjour au Danemark ou en Islande sont appelés à le faire à l'Ambassade du Danemark à Accra au Ghana ou à Ouagadougou au Burkina Faso. En outre, il est possible aux citoyens du Cameroun de soumettre leur demande de visa par l'Ambassade de France à Yaoundé ou à Douala.*
- Les citoyens du Nigeria demandeurs de visa ou permis de séjour au Danemark, sont renvoyés à l'Ambassade de Suède à Abuja, au Nigeria.*
- Les citoyens du Bénin demandeurs de visa pour la Suède, sont renvoyés à l'Ambassade de Suède à Abuja, au Nigeria.*
- Les citoyens du Bénin demandeurs de visa pour la Norvège, sont renvoyés à l'Ambassade de Norvège à Abuja, au Nigeria.*
- Les citoyens du Bénin demandeurs de visa pour la Slovénie, sont appelés à le faire à l'Ambassade de Slovénie en Egypte.*

*En outre, depuis le 18 novembre 2014, les décisions sur les demandes de visas introduites à l'Ambassade des Pays-Bas à Cotonou (et dans toutes les Ambassades néerlandaises en Afrique de l'Ouest), sont prises par le Bureau néerlandais de Support Régionale à Accra. Cela n'a aucune incidence sur le processus, sauf que pour un visa ordinaire, la durée de traitement est donc de 15 jours, d'un visa d'urgence une semaine. Pour des urgences humanitaires uniquement, des visas manuscrits peuvent être délivrés sur place. Cela vaut également pour les visas émis en représentation de la Finlande et du Luxembourg*

*Par accords particuliers bilatéraux signés entre les pays :*

- la Belgique représente Suisse (court séjour);*

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<sup>13</sup> Avril 2013 – Mars 2014

A partir du 31 mars 2014, aucun visa Schengen ne pourra être délivré à Cotonou pour la Lettonie, le Liechtenstein, la Pologne, , la Slovaquie, le Danemark, la Suède, la Slovénie, la Norvège, la Slovaquie et l'Islande. Il faudra s'adresser à leur représentation diplomatique dans un autre pays.

*Concernant le nombre de demandes traitées pour compter de 2013, la France traite environ 11.500 demandes /an, la Belgique environ 2.000 y compris celles en représentation de la Suisse, l'Allemagne environ 1.000, les Pays Bas en ont traité 600 et le Danemark 700.*

## **2. Réunions LSC organisées en 2013-2014**

*Depuis janvier 2013, la Délégation de l'UE assure la Présidence et le Secrétariat du groupe LSC au Bénin qui se réunit de façon bimensuelle.*

*Pendant la période d'avril 2013 à mars 2014, nous avons eu 5 réunions Schengen (23/04; 26/06; 5/09; 19/11 2013 et 28/012014) avec une participation massive. La présidence est assuré par la DUE ainsi que la rédaction des rapports des réunions, qui sont validés par les EM.*

*La Suisse est désormais invitée aux réunions du groupe LSC. Chaque EM rapporte directement à son siège.*

*La coordination LSC n'est pas assurée en dehors de Cotonou, car pour le moment, cela n'est pas nécessaire compte tenu des réalités du pays.*

## **3. Etat des lieux**

### **3.1 Application du Code des Visas**

*Les EM présents au Bénin appliquent le code des Visas en accord avec les instructions reçus par leurs sièges. Les 5 EM ont démarré comme prévu le VIS le 14 mars 2013, si bien qu'il n'y a pas d'incidences majeures à signaler, cependant quelques divergences subsistent entre EM:*

*Pour des contraintes liées au système sur le plan national, certains demandeurs de visa ayant déjà laissés leurs empreintes sont toujours soumis à la procédure d'enregistrement des empreintes dans une période de moins de cinq ans, car il y a eu un refus préalable (cas des 5 EM) soit systématiquement (France).*

*- Bien que le taux pour le visa Schengen soit le même pour les 5 EM (60€), la Belgique applique un taux de change inférieure à celui appliqué par les autres pays, ce qui suppose une différence d'environ 60 centimes d'euro par visa. La représentation belge ne peut pas changer la disposition car elle est appliquée depuis Bruxelles.*

*D'autres questions dans l'application du code visa sont:*

- L'augmentation dans la fraude documentaire qui est observée depuis quelques mois, des faux dossiers de plus en plus performants, touchant en particulier des fausses déclarations d'importation et des relevés bancaires. Les réunions LSC servent aussi de cadre d'échanges d'informations, des pratiques communes et des discussions sur des dossiers frauduleux.*

### **3.2 Estimation du besoin d'harmonisation de la liste des documents justificatifs.**

*Les travaux d'harmonisation de la liste de documents justificatifs sont terminés et appliqués par les 5 EM. Les différents EM publient les documents sur leurs sites web. Des questions subsistent sur le besoin de mieux connaître les documents administratifs des pays qui sont représentés par les EM présents au Bénin, car les documents arrivent dans la langue du pays représenté et il n'existe pas un vademecum reprenant la liste de documents officiels de tous les pays (attestation d'accueil ou de prise en charge, lettre d'invitation, documents bancaires...) ce qui faciliterait la tâche aux consulats qui délivrent des visas en représentation.*

*Les Pays-Bas et le Danemark ne délivrent plus directement de visas (cela revient à leurs Ambassades au Ghana, Burkina et/ou Nigeria) ce qui empêche dans ces deux cas le respect de l'harmonisation des documents qui avait été fait à Cotonou par tous les autres EM.*

### **3.3 Echange d'informations**

*Les statistiques sont partagées dans chaque réunion avec une compilation annuelle, si bien que la circulation des informations entre les représentants des EM est régulière avec la DUE en copie systématique. .*

*Dans les réunions, les cas de fraudes sont mentionnés et parfois même présentés pour vérification et/ou consultation entre les différents consulats.*

*La coordination téléphonique et/ou par mail entre les EM est très active au Bénin dans le traitement de certains dossiers.*

### **3.4 D'autres initiatives prises en LSC**

*Une réunion extraordinaire a eu lieu en novembre 2013 à la demande de l'Ambassade du Danemark suite à une demande de visa à caractère hautement politique. Le Danemark a présenté le cas qui concernait une personnalité d'un pays voisin et expliqué les motifs de son refus.*

*La détection en janvier 2014 d'un réseau de trafic de passeports de service (200 passeports) suite aux interpellations de béninois en France, en Suisse, à Lomé et à Casablanca, n'appartenant pas à la fonction publique mais en possession de vrais passeports de service et de faux ordres de mission a fait l'objet principal de la réunion de janvier 2014.*

## **4. Défis**

Les défis du rapport précédent sont toujours en vigueur:

- *L'augmentation importante des cas de fraude documentaire*
- *Le manque de connaissance des procédures des pays qui sont représentés par les 5 consulats en place. L'absence par pays d'un vademécum des documents qui peuvent servir pour délivrer le visa (attestation d'accueil, ou de prise en charge, lettre d'invitation, documents bancaires...)*
- *Absence de retour sur les demandeurs qui restent sur place. Les pays du nord ne sont pas inquiets car d'habitude les immigrants décident d'aller plutôt dans les pays du sud... donc il y a une absence de contrôle réel.*

**A cela, il faut ajouter:**

1. *Le récent cas de trafic de 200 passeports de service avec faux ordres de mission qui a été observé dans presque tous les consulats UE et qui pose comme défi le cas de la Suisse qui ne demande pas de visa aux titulaires de passeport de service, ce qui facilite avec ces passeports de services trafiqués de se rendre ensuite par voie terrestre ou ferroviaire dans les autres Etats Schengen.*
- 2.- *Le faible degré de fiabilité de ces passeports de service et diplomatiques amènera à leur interdiction à partir de novembre 2015, mais en attendant le risque d'avoir de nouveaux réseaux de trafic de passeports n'est pas exclu.*
- 3.- *Absence d' informations sur des problèmes constatés à l'entrée de l'espace Schengen (voyageurs avec visa mais considérés inadmissibles sur l'espace Schengen). Seul le Consulat Belge reçoit les données de la PAF.*

## **5. Divers**

*Le groupe a convenu que le SICASS qui effectue le contrôle documentaire à l'aéroport pour les 3 compagnies aériennes relayant l'espace Schengen (Air France, Brussels Airlines et Royal Air Maroc) puisse participer à la prochaine réunion et avoir de contacts périodiques avec les consulats.*



EUROPEAN UNION

DELEGATION OF THE EUROPEAN UNION IN BOLIVIA

La Paz, 30 June 2014

## **LOCAL SCHENGEN COORDINATION (LSC) IN LA PAZ, BOLIVIA 2013-2014 REPORT**

### **1. Introduction**

The Local Schengen Coordination meetings are held back-to-back with the Consular meetings every other month and take place at the EU Delegation. To date eight MS are represented in La Paz, six participated in the meetings until 31/12/2013: Denmark, France, Germany, Italy, Spain, and the Netherlands, which closed its Embassy at the end of 2013. The UK, as non-Schengen, participates upon invitation; Belgium has a cooperation office in Bolivia but no Embassy and therefore does not participate; Sweden and Switzerland do not have a consular section but participate in the meetings. The meetings are called by the EU Delegation.

Honorary Consuls are invited to take part in the meetings only when security issues are discussed with the EU Group on Security. This takes place every six months.

### **2. LSC meetings held in 2012-2013**

Six local Schengen Coordination meetings were held in La Paz between April 2013 and March 2014. They were all well attended. The meetings are chaired by the EU Delegation (by the Head of the Political, Commercial and Press /Communication Section) for the Schengen part, by the MS assuming the Presidency for the Consular part.

Minutes of the meeting are taken by the EU Delegation for the Schengen coordination, by the Council Presidency for the Consular issues.

### **3. State of play**

#### **3.1 Application of the Visa Code**

The Member States present in Bolivia implement the Visa Code in compliance with instructions from the capitals. This situation may lead to some differences on a number of issues like the exchange rate used for visa fees which can vary among Member States. Other matters of coordination emerging from the implementation of the Visa Code include:

- Invitation letters: some MS do mention the dates of stay of the traveller, some don't. The inviting host is responsible for the traveller; this concept varies from MS to MS.
- Proof of financial resources: the minimum required varies, possibly resulting in visa shopping.
- Interviews of travellers: they are done at different moments in the procedure and with slightly different contents according to MS

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**



The harmonization of the list of supporting documents is recognised as a major issue and the group decided to set up a working group in order to build up a harmonized list of supporting documents. The working group made a proposal which was discussed by the Visa Committee on 11 December 2013. The Visa Committee made some observations, which were taken on board by the LSC group. However, in the meantime, the Commission made a proposal to simplify the Schengen visa requirements on 1 April 2014, with a significant impact on the list of supporting documents. The LSC group believes it would make sense to suspend the working group and wait until the Commission proposal becomes effective to finalize the harmonization.

### **3.3 Exchange of information**

**Visa fees:** The group regularly exchanges information on the visa fees charged to try to avoid visa shopping. However, often little can be done, since norms affecting the fees such as the date of the exchange rate are fixed nationally.

**Visa requests rejected:** The MS regularly circulate the list of visa requests they have rejected every month. It would be much better, though, if the SIS was working as it should and each Schengen state had access to all visa information related to one given visa applicant directly through the system, and not manually, as it is done currently.

**Falsification attempts:** The MS inform each other of cases and types of forgery related to Schengen issues. The most common types of falsifications experienced in Bolivia are: fake institutions or fake companies, forged bank statements. This exchange of information is particularly useful.

### **3.4 Any other initiative taken in LSC**

Outsourcing is being used with success for the Schengen visas by the Spanish Embassy, who also represents Austria, Belgium, the Czech Republic, France, Greece, Latvia, Lithuania, Luxemburg, the Netherlands, Portugal and Switzerland. In 2013, Italy started using the same outsourcing service. Denmark and Germany handle directly the Schengen visa applications.

## **4. Challenges in 2013-2014**

- The completion of the task of harmonizing the list of supporting documents will remain an important challenge for the year ahead, and probably beyond.
- The proper functioning of the SIS would be a very positive step forward.

## **5. Other issues**

No other issue to report upon.

**LOCAL SCHENGEN COOPERATION (LSC)**  
**BOSNIA AND HERZEGOVINA**  
**2013 ANNUAL REPORT**

## **1. Introduction**

Since July 2010, the EU Delegation to Bosnia and Herzegovina coordinates the Local Schengen Cooperation meetings in Bosnia and Herzegovina. The meetings are held regularly and the EU Delegation prepares agenda and minutes. EU Member States and Schengen Associated States are invited to provide input for the upcoming meetings' agendas.

There are 15 EU Member States and Schengen Associated States' diplomatic missions present in Bosnia and Herzegovina [Austria (AT), Belgium (BE), Czech Republic (CZ), Germany (DE), Greece (EL), Spain (ES), France (FR), Italy (IT), Hungary (HU), Netherlands (NL), Poland (PL), Slovenia (SI), Slovakia (SK), Sweden (SE) and Norway (NO)]. The consular section of NL covers Luxembourg (LU) and BE in terms of visas, while the consular section of HU covers Latvia (LT) and Estonia (EE), AT covers Malta (MT), SE covers Denmark (DK) and Slovenia covers Switzerland (CH) and Portugal (PT). Even though and Bulgaria (BG), Croatia (HR) and Romania (RO) are not yet part of the Schengen area, those countries have consular sections in Bosnia and Herzegovina and are invited to the LSC meetings<sup>14</sup>.

Due to the low numbers of visa applications, there is no need for external service providers for the collection of applications.

The year of 2013 was the third year when citizens of Bosnia and Herzegovina could travel visa free to Schengen area and BU and RO. The visa free regime is also valid to Croatia, who joined the European Union on 1 July 2013. The visa free regime is only for citizens which are holders of a BiH biometric passport. During the first year of visa free regime, most of the visa applicants were citizens of Bosnia and Herzegovina, which had not yet changed their passports to a biometric one. However, with less and less old passports in circulation, the main category of visa applicants is third country nationals. Most of the third country nationals are Turks, Chinese, Russians and Egyptians with temporary or permanent residence in Bosnia and Herzegovina. In addition, there are a number of diplomats or holders of service passports from Saudi Arabia, Libya, Iran, Pakistan and India. The number of visa applicants has continued to drop. In 2013, there were 1,246 citizens who applied for a short stay visa [C] and 1,205 were issued. These figures can be compared to 1,325 citizens who applied for a short stay visa [C] in 2012 when 1,228 visas were issued and 2,161 who applied for a short stay visa in 2011, when 1,900 visas were issued. These figures could further be compared with the 2010 figures (during the visa regime) when 102,234 citizens applied for a short stay visa [C] and 80,371 were issued.

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<sup>14</sup> RO and BG are also part of the visa facilitation agreement between BiH and the EU, which is in force since 1 January 2008. In addition the visa free regime for BiH citizens is valid also in RO and BG, as agreed during their accession.

## **2. LSC meetings held in 2013**

During 2013, EUD chaired three regular Local Schengen Cooperation meetings (11 March, 17 June, and 13 November). The number of meetings have further decreased, mainly due to that most of the tasks from the Visa Code has been implemented and things are proceeding smoothly, but also due to that an EU member state (SI) started to conduct regular meetings on Cooperation on Consular Protection issues, whereof these issues were not anymore discussed in the LSC forum.

The two main topics throughout the year were: i) the implementation of the Visa Code and ii) Post Visa Liberalisation Monitoring Mechanism (PVLMM).

The meetings are well attended. Minutes of the meetings are drawn up by the EU Delegation and shared among all participants and relevant addressees in Brussels [DG HOME and DG ELARG]. AT, HU, NO, RO, SE and SI share the minutes of the LSC meetings with the Capitals, while CZ, EE, ES, NL and PL report to the Capitals on certain issues. NL further shares the minutes with BE. PL also prepares its own quarterly report on LSC to the Capital. BG and SK prepare its own information reports for the Capital. FR shares the minutes with the Ambassador, who decides whether there are issues to be shared with the Capital.

## **3. Visa Code**

The Visa Code in force since April 2010 and is being implemented by the Consular Offices of the Schengen states located in Bosnia and Herzegovina.

### **3.1 Harmonisation of visa fee**

The issue was dealt with during 2010 and even though some Schengen states ask for 1, 50 BAM more in order to avoid returning coins, it is not considered that the visa fees would encourage citizens to go “visa shopping”.

### **3.2 Harmonisation of visa waivers**

The Schengen States have always been generous on applying visa waivers for citizens of Bosnia and Herzegovina in accordance with the Visa Facilitation Agreement (VFA). However, it shall be stressed that the number of visas applied for by citizens from Bosnia and Herzegovina is today insignificant.

### **3.3 Common list of BiH health insurance companies**

Article 15 of the Visa Code says that health insurance shall be valid for all the EU MS and shall be valid for the entire period of stay. A common list of health insurance companies of Bosnia and Herzegovina exist.

### **3.4 Harmonisation of a list of supporting documents**

LSC in Bosnia and Herzegovina has completed the list of supporting documents for a Schengen visa for the specific purposes: i) tourism, ii) business, iii) private visits and iv) medical treatment. The European Commission adopted the decision of the list of supporting documents for Bosnia and Herzegovina on 13 October 2011.

### 3.5 Common information sheet

Common information sheet has been drawn up by each consular section that is present in Bosnia and Herzegovina.

### 3.6 Visa statistics

EU Delegation is collecting visa statistics from the EU Member States and Schengen Associated States, which have a diplomatic consular mission in Bosnia and Herzegovina. BG, HR and RO also share statistics with the EU Delegation on a monthly basis. The table prepared by DG HOME, which asks for statistical information on visa A and C and LTV, is used.

The table below shows the situation among the Schengen States month per month on visas applied for and issued in Bosnia and Herzegovina. During 2013, none of the Schengen states based in Bosnia and Herzegovina have had any applicants for visa A. The average of a short stay visa [C] applied for is 104 per month, while the average of 100 short stay visas is issued per month. Out of the issued visas, 75 were multi-entry short stay visas. June (226) was the month when most short stay visas were applied for, while March (41) was the month when least short stay visas were applied for. Overall 3.29 percent of all short stay visas applied for were rejected. In total, there were 21 LTV issued during 2013.

#### Visa statistics in BiH during 2013 (month per month)

Month 2012	A visas	C visas applied for	C visas issued	Multiple-entry visas issued	LTV issued	C visas not issued
January	0	59	58	50	0	5
February	0	126	121	59	5	7
March	0	41	41	37	1	0
April	0	109	100	93	0	3
May	0	136	136	91	1	6
June	0	226	211	150	0	6
July	0	140	148	109	1	6
August	0	80	67	48	1	4
September	0	109	110	93	5	0
October	0	94	89	74	2	0
November	0	57	55	47	2	0
December	0	69	69	50	3	0
Total	0	1246	1205	901	21	37

#### Visa statistics in BiH during 2010, 2011, 2012 and 2013 (per EU MS and Schengen Associated State)

Please see annex A, which table shows short stay visas [C] applied for and issued as well as multiple-entry C visas issued and the refusal rate. The table compares the statistical data for 2010, 2011, 2012 and 2013.

As the drop of short stay visas were significant following the entering into force of the visa free regime and the table shows that the number of visas applied for and issued has continued to decrease throughout 2013.

In 2013, there were 1,246 citizens who applied for a short stay visa [C] and 1,205 were issued. These figures can be compared to 1,325 citizens who applied for a short stay visa [C] in 2012 when 1,228 visas were issued and 2,161 who applied for a short stay visa in 2011, when 1,900 visas were issued. These figures could further be compared with the 2010 figures (during the visa regime) when 102,234 citizens applied for a short stay visa [C] and 80,371 were issued.

The average refusal rate has decreased to 3.29 in 2013 compared to 4.66 percent in 2012 and 3.12 percent in 2011. The year before the visa free regime entered into force, the average refusal rate was 3.85 percent.

#### **4. Post Visa Liberalisation Monitoring Mechanism (PVLMM)**

##### **4.1 Awareness of visa free regime**

Since the start of comprehensive BiH / EU awareness campaign in December 2010, Bosnia and Herzegovina continued with smaller scale awareness campaign aiming that citizens' of BiH is aware of the rights and obligations which go with the visa free regime. The police administrations have continued distributing leaflets informing the citizens of the visa free regime when citizens pick up their biometric passports. The competent minister appears in media on the subject and has also carried out targeted campaign in some of the areas from where many BiH citizens left to seek asylum in Schengen. Furthermore, the EU delegation as well as Member States answered questions in media in regard to issues linked to asylum seekers from Bosnia and Herzegovina in Schengen.

##### **4.2 Asylum seekers**

Even though the great majority of the citizens travelling to Schengen are bona fide travelers, some are abusing the visa free regime, by applying for asylum in the Schengen States. In complement to the FRONTEX reports, the most targeted countries, also exchange statistics of asylum seekers from Bosnia and Herzegovina in the frame of LSC.

During 2013 there was a slight decrease (-4 %) of asylum seekers from Bosnia and Herzegovina compared to 2012. The most targeted country is Germany. Sweden, Switzerland, Luxembourg and Belgium have a decrease of asylum seekers from Bosnia and Herzegovina compared to last year. In 2012, only Belgium had a decrease of asylum seekers from Bosnia and Herzegovina.

In **Germany**, 3,301 BiH citizens claimed asylum during 2013, which is an increase of 66 percent compared to last year. In **Sweden**, 510 BiH citizens applied for asylum during 2013, which is 67 percent less than in 2012. The number of asylum requests in **Switzerland** in 2012 was 209, which is a decrease of 55 percent compared with the figures from 2012. Another 139 citizens from BiH applied for asylum in **Luxemburg**, which is a decrease of 34 percent compared to 2012. In **Belgium**, 90 citizens from BiH applied for asylum which is a decrease of 34 percent compared with the number from 2012.

In total 4,249 BiH citizens applied for asylum in the top five Member States and Schengen Associated Countries in 2013, which is a slight decrease of 4 percent compared to the figures presented in 2012.

The return of those asylum seekers which received a negative decision is ongoing. While most of the return is voluntary, there are also a number of forced returns. Most of the EU MS is applying the return directive and provide the returned and unfounded asylum seekers with a ban to enter Schengen for a period of 2-5 years. EU MS counsellor offices have paid attention to an increase of BiH citizens asking whether they are in the Schengen Information System (SIS). The reason for this could be that many of the BiH asylum seekers which have been deported during 2013 have received a SIS ban.

Germany has in the beginning of 2014 launched an initiative to put asylum seekers from Bosnia and Herzegovina (Serbia and Former Yugoslav Republic of Macedonia (FYROM)) on the list of “safe countries”, thereby introducing a fast track of the assessment of the asylum application.

### **4.3 Suspension Mechanism introduced**

Following the adoption of a set of amendments to the EU visa rules (Regulation 539/2001), the amendments entered into force on 9 January 2014. The amendments include a new visa-waiver suspension mechanism to ensure that visa free travel does not lead to irregularities or abuse. The new visa waiver suspension mechanism will contribute to preserving the integrity of the visa liberalisation processes and to build credibility vis-à-vis the citizens. It will allow, under strict conditions and after thorough assessment by the European Commission, for the temporary reintroduction of visa requirements for citizens of third countries. The aim is to address emergency situations caused by the abuse of the visa-free regime by nationals exempted from the visa obligation.

### **4.4 Travel documents**

There are two passports in circulation; i) old passports, valid until 15 October 2014 and ii) biometric passports, which were introduced from 15 October 2009. The visa free regime is applied only for holders of biometric passports. In March 2014, there were 1.773.475 biometric passports issued in Bosnia and Herzegovina and 34.622 old type passports still in circulation. Comparing these figures with last years figures, it can be noted that the total number of passports in circulation has further increased with 242.950. The total figure means that 49 percent of citizens of Bosnia and Herzegovina have a valid BiH passport. This is 3 percent more than last year. The three percent increase of passport holders is linked to that many BiH citizens in the past has travelled on their ID cards to Croatia, which since Croatia accession not possible any more. It shall be noticed that many BiH citizens residing in BiH have double citizenship and therefore have access to a Croatian, Serbian or other EU Member State passport, which means that much more than 49 percent of the citizens of BiH are holders of a valid travel document.

Bosnia and Herzegovina introduced Extended Access Control in line with EC Directive on 1 June 2010. Biometric passports issued since include better digital certificates and special protection of fingerprints compared to previous generations of biometric passports.

The BiH ID cards are in line with ICAO standards and are currently used as a travel document to i) Montenegro and ii) Serbia. It was also used as travel document to Croatia during the first six months of 2013, but such border regime ceased due to Croatia accession to the EU. A new generation of ID cards started to be issued on 1 March 2013. The new BiH ID card harmonises the biometric elements with the BiH biometric passports and include i) Basic Access Control, BAC

(BAC is a mechanism specified to ensure only authorised parties can wirelessly read personal information) and ii) Extended Access Control, EAC (EAC allows authorised inspection systems to read sensitive biometric data such as fingerprints). The new ID cards also include a digital profile. The ID card has optional qualified electronic signature (signature in relation to data in electronic form treated in the same manner as a hand-written signature in relation to paper-based data). In addition, it includes optional stipulation of blood group and entity citizenship. The current ID cards will be valid until the expiring date stipulated at the card.

However, some 2.000.000 BiH citizens' ID cards will expire in 2013 and 2014, which means that more than half of the citizens of Bosnia and Herzegovina are to change their ID cards until 2015. Until March 2014, 527.788 have taken out a new ID card and there is still 2.630.190 of old ID cards in circulation.

Croatia launched an official request to the Irish EU Presidency on 6 March 2013, asking to continue its current border regime with Bosnia and Herzegovina where citizens can travel with ID card only across the border following Croatia's accession. As the current regime is not in line with Schengen border code where you have to stamp the travel document on entry/exit, the request was rejected in the Council in June 2013.

## **5. Other issues discussed**

### **5.1 Kosovo introduced visa towards citizens of Bosnia and Herzegovina**

Following the adoption of a decision on introducing visa for BiH citizens by the Kosovo authorities on 16 December 2013, the decision entered into force on 15 January 2014. Short term visas for BiH citizens can be applied for in the Kosovo Consular Office in Tirana. The BiH Ministry of Foreign Affairs prepared an amendment to their visa decision where they are proposing to delete article 6, which regulate the visa regime with Kosovo. This means that BiH would apply normal visa procedure for Kosovars and putting the visa sticker in the Kosovo passport instead of on a separate piece of paper, which has been the case so far. It also mean that the Consular section of BiH embassies will take the decision on the short term visa and no more need for the BiH Minister of Foreign Affairs to approve each short term visa application for Kosovars. However, the decision was discussed in the Council of Ministers session in January, where it was concluded that the BiH Presidency shall give its opinion on it. However, the three members of the BiH Presidency have not been able to reach a consensus whereof the decision remains pending.



EUROPEAN UNION

DELEGATION TO BRAZIL

Brasilia 27 May 2014

## LOCAL SCHENGEN COOPERATION (LSC) Brasilia/BRAZIL 2013-2014 REPORT

### 1. Introduction

The Delegation of the European Union to Brazil chairs the EU Schengen group meetings. The following Schengen MS Embassies (or Schengen associated MS) are present in Brasilia:

1. **Austria** (also issuing Schengen visas on behalf of Malta)
2. **Belgium** (also representing Luxemburg in consular issues; Belgium reopened consular department at the Embassy in Brasilia (**new**), however Schengen issues are dealt with only by the General Consulate of BE in Sao Paulo)
3. **Bulgaria** (not applying the common visa policy in full, but invited to LSC meetings)
4. **Cyprus** (not applying the common visa policy in full, but invited to LSC meetings)
5. **Croatia** (not applying the common visa policy in full, but invited to LSC meetings)
6. **Czech Republic**
7. **Denmark** (all visas for Denmark are issued by Norway)
8. **Estonia** (**new** Estonian representation in Brasilia does not issue visas yet and the Spanish Consulate General in Sao Paulo issues Schengen visas for Estonia)
9. **Finland** (short-stay visas for Finland are issued by Norway)
10. **France**
11. **Germany** (due to limited consular department at the Embassy in Brasilia, all visa and passport issues are dealt with by the General Consulates of DE in Rio de Janeiro, Sao Paulo, Porto Alegre and Recife).
12. **Greece**
13. **Hungary**
14. **Italy**
15. **Netherlands**
16. **Poland** (holds representation for Latvia at the Consulate General in Curitiba (Poland closed Sao Paulo Consulate General) - **new**)
17. **Portugal** (also issuing Schengen visas on behalf of Slovenia)
18. **Romania** (not applying the common visa policy in full, but invited to LSC meetings)
19. **Slovakia**
20. **Slovenia** (Schengen visas for Slovenia are issued by Portugal)
21. **Spain** (issuing Schengen visas for Estonia in Sao Paulo)
22. **Sweden** (short-stay visas for Sweden are issued by Norway)
- + 23. **Norway** (also representing Sweden and Finland for short-stay visas and Denmark for all the visa related issues)
- + 24. **Switzerland**

### 25. (**new**) Member State present only outside the capital: **Lithuania**

The General Consulate of Lithuania in Sao Paulo constitutes a very special case as this Member State does not have an Embassy in the capital Brasilia.



Due to the continental size of Brazil and the very limited resources of the EU DEL, it is impossible to coordinate the LSC in the whole of the country and in all the cities where MSs have their consular representations (Sao Paulo, Rio de Janeiro, Porto Alegre, Recife, Curitiba, Salvador, Belem, Fortaleza and Belo Horizonte). Therefore, the EU DEL focuses on the two most numerous and active groups in Sao Paulo and in Rio de Janeiro. In the reporting period the EU DEL participated five times in Consuls' meetings in Rio de Janeiro and in Sao Paulo.

## **2. LSC meetings held in 2013-2014**

During May 2013 and May 2014) five meetings were held in the capital Brasilia on:

30 July 2013

24 October 2013

10 February 2014

10 April 2014

29 May 2014

(+ another five meetings held outside the capital)

The LSC meetings normally take place at the EU Delegation in Brasilia and depending on the meeting they are well (some 50% of MSs) or very well (80% of MSs) attended. LSC meetings are chaired by the EU Delegation. Minutes are drafted by the chair, also for the meetings held outside the capital. Some MSs draft their own minutes for their capitals.

## **3. State of play**

### **3.1 Application of the Visa Code**

Due to the EU-Brazil Schengen visa waiver agreement, Schengen visa-related problems do not constitute a major issue in local consular work. VIS was implemented in Brazil and the requirement for collecting biometric details complicated things for some visa applicants, as they now have to travel to (more distant/ fewer) Embassies/Consulates to deal with this.

MSs apply different exchange rates and also update them with different regularity, mostly according to instructions from their capitals, which makes it impossible to have one uniform visa fee in the local currency. The differences in fees are not significant and they don't lead to visa shopping.

The issue of treatment of EU nationals entering Brazil is regularly the object of criticisms towards BR authorities. Specific cases of questionable refusals upon arrival in Brazil and a lack of familiarity with diplomatic, service passports and the EU laissez-passer were raised. Often these would occur due to a clear lack of training of immigration officers, however in general it can be stated that BR authorities comply with the VWA.

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

A disparity of requirements needed to justify the purpose of the trip, duration, means of subsistence and accommodation still exists in various Member States. Another attempt to advance with the harmonisation of documents is taking place and EU DEL will suggest a harmonised list of supporting documents in the coming days. Our goal is to reach an agreement still in 2014.

### **3.3 Exchange of information**

The exchange of information within the LSC group is working very well. EU DEL regularly updates Member States on Schengen *aquis* and all legal developments in this area taking place in Brussels. The EU DEL is responsible for compiling and distributing data bases of EU MS consular offices in Brazil, as well as any other relevant Schengen information.

Almost all the MSs maintain regular working contacts between themselves (also due to their close cooperation in consular issues, outside the Schengen topics, e.g. during crises involving EU citizens, in case of European prisoners in Brazil or for consular contingency plans for the 2014 Football World Cup in Brazil). The EU DEL is almost always included in the exchange of consular information between the MS, both in Schengen and in consular issues. Statistics are exchanged on an ad hoc basis.

The flow of information between Embassies and Consulates located outside the capital Brasilia is not always ideal. The EU Delegation, when requested, shares information with consular offices of Member States outside the capital Brasilia.

### **3.4 Any other initiative taken in LSC**

n/a

## **4. Challenges in 2014-2015**

Harmonisation of the list of supporting documents will be a priority in 2014.

## **5. Other issues**

The Schengen group in Brasilia is composed of 24 Members and it is a very heterogeneous group in terms of acquaintance with Schengen *aquis*. Furthermore, it is the consular protection that MSs tend to be more involved in locally and treat as a priority in their consular work, not the Schengen affairs.

*This report has been prepared by the EU Delegation in Brazil. Members of the EU Schengen group have been invited to comment on the draft and their suggestions were included in the document.*



09 avril 2013

## COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC) - CAMBODGE

### RAPPORT 2013-2014

#### 1. Introduction

Au Cambodge, deux Etats Schengen sont représentés : La France et l'Allemagne. Ces deux Etats représentent 15 autres Etats membres répartis comme suit :

- France : Belgique, France, Grèce, Islande, Malte, Norvège, Portugal, Espagne, Suède et Suisse;
- Allemagne : Autriche, Allemagne, Finlande, Italie, Luxembourg et Pays-Bas.
- Pays Schengen non-représenté: Danemark, Estonie, Hongrie, Lettonie, Liechtenstein, Lituanie, Pologne, République Tchèque, Slovaquie et Slovénie.

Particularité de la Suède : Ambassade non pourvue de service de visas

La présidence de la LSC est assurée par l'EUD.

#### 2. Réunions LSC organisées en 2012-2013

La coopération locale Schengen (LSC) s'articule désormais autour de l'EUD depuis 2011, qui en est le coordinateur unique. Les deux EM sont en contact régulier pour des problèmes spécifiques.

Deux réunions se sont tenues en 2013 – 24 avril et 28 octobre. La présence des deux EM est systématique.

Il a été rappelé l'élaboration par les deux partenaires Schengen (France et Allemagne) d'une note d'information commune sur la procédure « visa » et la diffusion depuis la mise en application du code communautaire des visas le 5 avril 2010.

Les sujets abordés portent sur la coopération Schengen (répartition des Etats représentés, limite des accords de représentation), la mise en application du code communautaire des visas (pratiques de chaque EM) et le programme VIS en novembre 2013, et sur le contexte propre au Cambodge, pays où l'économie est à 70% informelle : fraude documentaire à l'état civil, pression migratoire, la justification des ressources des demandeurs reste une question majeure.

Notons qu'il n'y a pas de coordination LSC en dehors de la capitale puisque les postes consulaires ne sont présents qu'à Phnom Penh et qu'il n'existe pas d'antenne régionale.

### **3. Etat des lieux**

Il a été décidé, du fait du caractère technique des points soulevés, d'organiser deux fois par an la réunion LSC séparément de la réunion de coopération locale consulaire. La délégation de l'Union européenne a proposé de mettre à dispositions ses locaux.

La mise en application du programme VIS n'a pas créé des changements significatifs, sauf pour l'ambassade d'Allemagne qui maintenant pratique l'empreinte digitale pour d'autres Etats membres en plus que pour l'Allemagne.

#### **3.1 Application du Code des Visas**

Il a été mis en évidence les points suivants dont l'harmonisation localement n'est encore atteinte :

- Taux de change différent
- Dépôt des demandes sur rendez-vous (article 9 du code des visas)
- Recueil complet des données biométriques (article 10 & 13 du code des visas)
- Accord de représentation (article 8 du code des visas)

#### **3.2 Estimation du besoin d'harmonisation de la liste des documents justificatifs**

L'harmonisation sur ce point a été établie depuis avril 2010.

#### **3.3 Echange d'informations**

Principalement, les échanges d'information entre EM portent sur :

- les dossiers pouvant poser problème (doute sur l'authenticité des documents par exemple) ou ayant faits l'objet de refus antérieurs de la part d'un EM
- les statistiques (relevé mensuel).
- le taux de change

L'EUD transmet régulièrement aux EM, les comptes-rendus des réunions du Comité des visas qui se tiennent à Bruxelles sous l'égide de la Communauté européenne.

#### **3.4 D'autres initiatives prises en LSC**

Néant

### **4. Défis pour 2014-2015**

Les sujets suivants pourraient l'être l'objet d'une réflexion sur la possibilité d'une application harmonisée des pratiques de recevabilité des visas Schengen:

- Prise de rendez-vous systématisé,
- Harmonisation du taux de change

Il est constaté que pour les EM non représentés au Cambodge, tel que la Pologne ou le Danemark, des demandes de visas qualifiées de « visa Shopping » peuvent être introduites auprès des deux représentations au Cambodge.

Il avait été rappelé lors de la dernière réunion LSC que la compétence d'un Etat en matière d'instruction des demandes de visa Schengen est déterminée en priorité selon :

- 1) le pays où l'objet est considéré comme le plus important
- 2) le pays où la durée est la plus longue
- 3) le pays de première entrée

## **5. Divers**

L'harmonisation du taux de change est fortement demandée.

Les différents modèles d'attestations d'accueil peuvent poser des problèmes de compréhension pour certains Etats représentés (Grèce, Norvège, Finlande, Suède) lorsque ceux-ci sont renseignés dans la langue de ces pays. Le recours à un service de traduction des ambassades concernées est requis.



UNION EUROPÉENNE  
DÉLÉGATION AUPRÈS DE LA RÉPUBLIQUE DU CAMEROUN

Le Chef de Délégation

Yaoundé, 10 juillet 2014

DUE/CDD/mg

## **COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC) AU CAMEROUN**

### **RAPPORT<sup>15</sup> 2013-2014**

#### **1. Introduction**

Six Etats Schengen sont présents au Cameroun (Allemagne, Belgique, Espagne, France, Italie, Suisse). Tous ces Etats ont une section visas au sein de leur Ambassade ou Consulat à Yaoundé et la France dispose en outre d'une section visas au sein de son Consulat général à Douala. Les accords de représentation sont inchangés depuis le dernier rapport (2012-2013). Seule l'Italie et l'Espagne ont recours à un prestataire de services externe, en l'occurrence la société VFS Global, pour le traitement de certaines demandes de visa de court séjour sur passeport ordinaire<sup>16</sup>.

#### **2. Réunions LSC organisées en 2013-2014**

Quatre réunions de coordination locale Schengen ont été organisées au cours de la période de référence. Les Etats Schengen participent en général régulièrement à ces réunions, qui sont présidées par la Délégation (Chef de la section Politique, information, économie et commerce). A partir de novembre 2013, les réunions étaient organisées à tour de rôle par les différents Etats Schengen, ce qui a permis par la même occasion de visiter les consulats. Par ailleurs, le projet de compte-rendu était généralement préparé par l'hôte. L'effectif réduit de certaines Ambassades empêche parfois un Etat ou un autre d'être représenté.

En outre, sur l'invitation des Etats-Unis, les Etats Schengen ont participé à une réunion de concertation qui avait pour objectif d'échanger sur des questions de fraude en matière de demandes de visas.

#### **3. Etat des lieux**

##### **3.1 Application du Code des Visas**

Le déploiement du VIS au Cameroun est effectif à compter du 14 mars 2013. La première année d'application ne permet pas de déceler de difficultés particulières.

Les consulats des Etats Schengen avaient été diversement préparés à la réforme. Alors que le personnel de certaines sections visa a bénéficié d'une formation au VIS, d'autres postes n'ont reçu qu'une instruction. D'une manière générale, il semble que l'introduction du VIS n'a pas entraîné de

<sup>15</sup> Avril 2013 – Mars 2014

<sup>16</sup> Pour l'Espagne l'outsourcing concerne tous les visas de court séjour sur passeport ordinaire à l'exception des visas pour motif humanitaire ou médical; pour l'Italie les visas de court séjour sur passeport ordinaire pour motif de tourisme et d'affaires.

bouleversement en ce qui concerne la manière de travailler des différentes sections visas. Il convient néanmoins de relever le caractère complexe du VIS. Un temps d'adaptation est nécessaire pour l'ensemble des consulats, dont les interrogations devraient disparaître avec la pratique.

De plus, certaines différences dans le fonctionnement du système (le temps d'attente pour avoir une réponse, problèmes de transmission, l'accès à toutes les informations) semble être liées au fait que les consulats utilisent des logiciels différents. Les membres de la LSC sont d'avis que le passage à un système commun serait bénéfique.

### **3.2 Estimation du besoin d'harmonisation de la liste des documents justificatifs.**

Les travaux d'élaboration d'une liste commune harmonisée se sont poursuivis en aboutissant à l'adoption officielle de la liste commune par la Commission le 29 avril 2014. La liste commune qui correspond déjà, dans les grandes lignes, à celle qui est utilisée par toutes les représentations Schengen sur place, est en application au Cameroun depuis le 14 avril 2014.

### **3.3 Echange d'informations**

Les échanges d'information portent surtout sur l'évolution du nombre de demandes et de visas délivrés et sur le temps d'attente pour les visas, les pratiques pour la vérification de l'existence et l'état des comptes bancaires, la pratique concernant le devoir de se présenter au consulat au retour, et, surtout, les cas de fraude et notamment d'usage de documents faux ou falsifiés (passeports ordinaires, de service ou diplomatiques, mais aussi actes d'état-civil, diplômes, lettres d'invitation, etc.), ainsi que sur le mode de calcul de la durée maximale du séjour autorisé.

Les Etats Schengen sont généralement satisfaits des échanges durant les réunions et par e-mails entre les consulats. Ils insistent sur le fait que toute perte, disparition ou vol de vignettes Schengen doit être immédiatement signalé à toutes les missions Schengen afin d'éviter la circulation des personnes qui pourraient en profiter.

Certains membres du groupe ont évoqué aussi les problèmes posés par les autorités camerounaises à l'égard des vols de rapatriement des immigrants clandestins et la nécessité d'agir de manière commune.

### **3.4 D'autres initiatives prises en LSC**

Rien à signaler.

## **4. Défis**

Le principal défi mentionné dans le dernier rapport, à savoir le déploiement du VIS, a été efficacement relevé, mais la concertation entre les Etats Schengen devra évidemment se poursuivre. Pour l'année 2014-2015, le principal défi sera lié à l'application de la liste commune harmonisée ainsi qu'à l'approfondissement des échanges avec les pays non-Schengen notamment la Turquie qui a connu une recrudescence des tentatives d'immigration illégale de ressortissants camerounais vers l'espace Schengen depuis la mise en place de la desserte vers Istanbul par la compagnie Turkish Airlines.

La fraude à l'état civil constitue une source non négligeable de complications et de contentieux. Les vérifications s'avèrent souvent longues et malaisées notamment auprès des centres d'état civil de

province et la plupart des participants font part de leur regret de ne pas bénéficier de moyens suffisants pour mener à bien ces vérifications. Une mutualisation des moyens entre représentations Schengen, avec l'emploi des fonds Frontières Extérieures, pourrait constituer une réponse adéquate en permettant de disposer d'une équipe d'enquêteurs afin de contrôler les actes d'état civil à travers le territoire camerounais.

## **5. Divers**

Ce projet de rapport a été approuvé par l'ensemble des représentants des Etats Schengen présents au Cameroun.





Ottawa, 16 May 2014

## **LOCAL SCHENGEN COOPERATION (LSC) MEETINGS IN OTTAWA, CANADA 2013-2014 REPORT<sup>17</sup>**

### **1. Introduction**

Local Schengen Coordination Meetings are held in the Ottawa Delegation's Boardroom every two months, usually back to back with the Consular cooperation meetings.

Nearly all Schengen Member States are present at the LSC Meetings. The Luxembourg Honorary Consul, the first who is resident and based in Ottawa, has been participating in the meetings at the request of the Embassy of Luxembourg in Washington, as he received supplementary authorization from the Canadian Foreign Ministry to perform various diplomatic functions on behalf of the Embassy. The Belgian Consulate in Montreal issues Schengen visas for Luxembourg and the Danish Embassy handles the Schengen Visas for Sweden, Norway and Iceland. Austria issues visas for Germany in Ottawa and Germany issues visas for Austria in Toronto.

### **2. LSC meetings held in 2013-2014**

Local Schengen Coordination Meetings were held in Ottawa on 11 April, 13 June, 10 October, 12 December in 2013; and on 13 February in 2014. All were well-attended.

The notice of Meeting and a draft Agenda are sent via AGORA thus encouraging meeting participants to a regular use of this Member States' informatics tool. A second specific training on AGORA was provided by the Delegation to the Members of the Group on 8 January 2014.

The LSC Meetings are chaired by the EU Delegation which is also responsible for minutes taking, consultation for its approval and distribution. Draft minutes are distributed after each meeting, with a silence procedure for comments.

As the meeting takes place back to back with the Consular cooperation meeting, and attendance at both include mainly the same colleagues, the usual practice is that the Chairs of both meetings meet some days in advance of the meeting in order to check on possible agenda items and ensure synergy.

Occasionally, there are third party presentations to the group which introduce and animate discussions on topics of relevance. Those presentations take place between both meetings, so that participants to either of the groups can attend. Topics addressed during the reporting year have

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<sup>17</sup> April 2013 – March 2014

been: Canada USA Consular Information sharing and Implementation of the Law "Protecting Canada's Immigration System Act"

Some Member States inform their respective headquarters about the discussions at the LSC meetings.

### **3. State of play**

#### **3.1 Application of the Visa Code**

Consular offices implement the Visa Code in accordance with instructions from capitals and Regulation 810/2009. This situation may lead to slight differences of approach with respect to a number of issues.

In addition to the issues below in relation to the harmonised list of documents, and the exchange of information, the following issues have been discussed regarding the application of the Visa Code:

**Schengen Overstays.** There are recurrent consultations of Canadian bona fide travellers who, for mainly touristic reasons, would like to stay in the Schengen area for more than the 90/180 stated period. The article 20 of the Schengen Convention established the *"Contracting Party's right to extend beyond three months an alien's stay in its territory in exceptional circumstances or in accordance with a bilateral agreement concluded before the entry into force of this Convention"* According to Canadian authorities, those agreements do exist for a number of countries but, occasionally, border officials are unaware of those. Furthermore, some travelers wrongly assume that those overstays apply to all Schengen area and thus could be fined when departing from some MS who do not have those. The whole situation is considered as very confusing and leads to questions and references every time there are formal consultations amongst Canada and EU.

It was agreed to gather the list of such bilateral agreements. An initial table with all such prior bilateral agreements was provided to the EU Delegation by the Consular services of the Canadian Department of Foreign Affairs and Trade (DFATD). The respective information was distributed to individual Member States, who after verification with capitals updated the information in the table and provided feedback the EU Delegation. The Delegation met with the Canadian authorities during February 2014 to provide them the updated list.

No follow up is foreseen in the next reporting period.

The new rules for calculating short stays within the Schengen area were distributed and discussed at the meetings of 10 October and 12 December. Results of the deliberations were transmitted to Commission DG Home for information.

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

The group discussed the possible need to update the harmonised list of supporting documents at the previous reporting period and concluded that no update was necessary.

The list has not been re-assessed during the current reporting period.

### **3.3 Exchange of information**

The group established during the previous reporting period a regular exchange of information in accordance with the Visa Code Article 48 . This gathering of information has not been absent from difficulties:

- a) In a relatively low risk and visa free country like Canada, the local provision of monthly statistics is cumbersome and of little practical use.
- b) AGORA has limitations regarding the support of dynamic documents i.e. each MS introduces its own data regularly, and therefore the process is still centralized by the EU Delegation and adding to its workload.
- c) It does not address the exchange of visa refusal information which could, in some instances, prove of practical use.
- d) Annual visa statistics are already produced on the basis of the information provided by the capitals.

The Chair asked the Commission DG Home about the possibility of halting the local collection of monthly visa statistics. He was however reminded that the exchange of visa statistics stems from the Visa code and therefore they needed to be exchanged, albeit with the possibility of doing it on the quarterly basis as it is practice in other equivalent countries.

It is on this basis that the LSC group agreed, on its meeting of April 2014, to implement the exchange of information on a quarterly basis, for which an ad-hoc mechanism will be put in place.

### **3.4 Any other initiative taken in LSC**

The combined Consular and Local Schengen Cooperation groups visited the Ottawa airport border facilities, including its detention centre. The visit, very well organised by the Canadian Border Service Agency, allowed for a fruitful exchange of views between Canadian Border authorities and consular officials from the Member States.

## **4. Challenges**

The implementation of the Visa Information System (VIS), due for 15 May 2014, will require an accommodation period but some Member States have already been using it during 2013 and commented its smooth roll-out.

The challenge of the Schengen overstays, mentioned at the previous reporting period has been clarified but not resolved. For quick reference, it indicated that:

Schengen overstays is unfortunately an irritant which cannot be solved locally. It has been raised many times and at different levels, by our CAN interlocutors. At the crux of the matter is the apparent lack of "reciprocity" – 90 day limit in Schengen area vs 180 limit in Canada. The existence of bi-lateral agreements which would allow extended stay beyond the 90 days, does not seem sufficient enough to prevent anxiety and sometimes fines, for CAN travellers to the Schengen zone. Specific information to this matter, both in the Canadian Ministry and of the Schengen Member States' web sites, can however alleviate the situation and facilitate the travelling of bona fide visitors. The group plans to address this in the coming months.

Some aspects of the proposed amendments to the Visa Code as announced by the Commission on 1<sup>st</sup> April 2014 will, in part, help to address the challenge.

## **5. Other issues**

N.A.

*This report has been approved by Member States participating at the Local Schengen Cooperation meetings in Ottawa.*

José-Antonio Torres-Lacasa  
Chair of the Local Schengen Coordination Group  
EU Delegation

Ottawa, May 2014



EUROPEAN UNION

DELEGATION TO THE REPUBLIC OF CAPE VERDE

25 May 2014

## LOCAL SCHENGEN COOPERATION (LSC) in PRAIA, CAPE VERDE 2013-2014 REPORT<sup>18</sup>

### 4. Introduction

Cape Verde is a lower middle-income ACP country with overall good governance. The country consists of 10 islands and both travel and communication between those islands remain a challenge. In rural areas, the local population often cannot understand written communication.

Cape Verde has a Special Partnership with the EU and is also implementing a **Mobility Partnership** (MP) with the EU and some of its Member States. Within the framework of the MP the EU-CV **Visa Facilitation Agreement** was signed on 26/10/2012 in Praia and the **Readmission Agreement** – on 18/04/2013 in Brussels. The documents are expected to enter into force simultaneously, later in 2014.

Cape Verde has a long tradition of **emigration** and an estimated 200 to 500 thousands **diaspora** living in the US (51%), Portugal (15%), Angola (9%), France (5%) and Senegal (5%). Apart from the traditional outward migration flows, in recent years, Cape Verde has become a country for both **legal and illegal migration** from the African continent.

The government has been active in responding to this new phenomenon. In January 2012 the **National Policy on Immigration** was approved. It needs to be completed and implemented through the legislation on migration and asylum which has been drafted with support of the EU-financed MIEUX project. The final full law proposal has not been presented to the government yet.

There are four **MS present in Cape Verde: ES, FR, LU, PT**. The representation of other Member States in visa issues is as follows:

- ES: representing no other country;
- LU: representing no other country; (for long stay visas)
- PT: representing AT, BE, CZ, DE, FI, FR, IT, LU, NL, SE, SI (for Schengen visas).

**PT took up the representation of FR, DE and NL as of 1 March 2014. SK will be represented by PT as from 2 June.**

There are no external service providers active in Cape Verde but there is a local **EU Common Visa Centre (CCV)** financed by an EU project and implemented by the **PT** Government, in partnership with **LU** and **BE**. **The CCV issues Schengen visas on behalf of AT, BE, CZ, DE, FI, FR, IT, LU, NL, PT, SE, SI and SK**. The Centre also organizes seminars and trainings for CV migration authorities and since 2013 it is equipped with a hi-tech anti-fraud document laboratory.

Since 12/2012 CCV performs duty trips with specialized equipment to Sal, S. Vicente and Boavista islands to **collect biometric data** from the visa applicants.

Despite temporary difficulties in 2013 MS continued financing the CCV. The 3<sup>rd</sup> project started on 01/09/2012 and ran till 02/2014. An extraordinary extension to the financing was granted until 31

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<sup>18</sup> April 2013 – March 2014

July 2014. PT declared its commitment to finance the Centre when the extension expires. At the same time, PT applied for the financing by the European External Border Funds and this possibility is currently being examined.

The resident MS have the following **honorary consulates**:

- ES: S. Vicente, Sal;
- FR: S. Vicente, Sal;
- PT: S. Vicente, Sal.

Honorary consulates in CV of the non-resident MS: BE, CZ, DE, DK, EL, IT, UK, NL, RO and SV.

## **5. LSC meetings held in 2013-2014**

In the period covered by this report, 10 LSC meetings took place at a fairly regular rhythm and were almost always attended by all MS and the EUD. Meetings were chaired by EUD. The reports have been drawn up by the EUD. Available reports are circulated among the respective capitals. HoMs are informed on a regular basis about important matters. Member States present regularly inform their representations outside Praia.

Representatives of US and Brazil have attended *ad hoc* meetings concerning consular / security affairs and human rights.

In Jan 2014 LSC met with the DG HOME mission to Praia to exchange views about the implementation of the EU-CV Mobility Partnership.

## **6. State of play**

### **3.1 Application of the Visa Code**

MS were well prepared and cooperation worked well after the start of the application of the Visa Code. No major problems regarding the implementation of the Visa Code were reported.

However, MS would appreciate a clear handbook of good practices to help in everyday visa proceedings, with clear examples (e.g. EU citizen's family members – according to the LSC the Directive 38 provisions are not clear enough), or to complement the existing Handbook with more specific cases.

Request for a clear calculation of average indirect costs of handling a single visa application remains valid.

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

Draft harmonized list has been approved by the Visa Committee and awaits the final implementation decision.

### 3.3 Exchange of information

The following information is exchanged within the LSC:

- monthly statistics;
- cases of fraud;
- travel medical insurance (TMI) (i.e. insurance companies offering adequate TMI; the insurance options offered correspond to the requirements of the Visa Code);
- other issues (security, legal matters etc.)

Information sharing works very well in the group.

### 3.4 Any other initiative taken in LSC

NTR

## 4. Challenges

- The issue of **international adoptions of CV minors by the EU citizens** has still been considered discouraging and difficult but the situation seems to be improving.
- **Common Visa Centre** needs long-term sustainability. The current phase of the project will run till 31/07/2014. PT declared its commitment to finance it after that date assuring the financial sustainability of the CVC. At the same time, PT applied for the financing from the European External Border Fund and this possibility is currently being examined.
- As a response to the increasing and more and more sophisticated **document fraud (including visa fraud)**, in 2012 the CCV was equipped with a hi-tech anti-fraud document laboratory and organized fraud-related trainings for the local authorities. Over the last reporting period the LSC noted the **constant rise of fraud and the increasingly sophisticated forgery methods**.
- CCV's duty trips organized to collect biometric data from the visa applicants on the other islands continued to help avoid the considerable burden and associated travel costs for visa applicants.
- The number of **criminal incidents against EU citizens** has visibly decreased compared to the previous reporting period.

The major issue for the near future are the **implications of the EU-CV Visa Facilitation and Readmission Agreements, when they enter into force**. As signalled in the exchange with DG HOME, MS would appreciate clear guidance from the part of the COM in this respect.

## 5. Other issues

NTR

*This Report has been approved by all MS present in Praia.*



29 May 2014

## **LOCAL SCHENGEN COOPERATION (LSC) CHILE 2013-2014 REPORT<sup>19</sup>**

### **1. Introduction**

In Chile, Local Schengen Cooperation (LSC) is carried out with 16 countries: 14 Member States (Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Italy, the Netherlands, Poland, Portugal, Spain and Sweden) and 2 associated countries (Norway and Switzerland).

The full list of consulates/embassies dealing with visa applications for more than one country is as follows: Sweden (Denmark, Iceland, Norway and Lithuania), Switzerland (Hungary and Liechtenstein), Belgium (Luxembourg), Austria (Malta) and the Netherlands (Slovenia).

The European Union Delegation is responsible for the preparation, coordination and minuting of meetings.

Chilean citizens do not require a visa to stay in the Schengen area for less than three months. Therefore, the applicants are nationals of other countries, mainly neighbouring countries (Peru, Colombia, Bolivia, etc.).

### **2. LSC meetings held in 2012-2013**

Four meetings have been held since April 2013 (May and August 2013, and January and April 2014).

Attendance by Member State representatives was good on the whole. Some Member States attended less regularly, while others took part in every meeting. Since Denmark and Norway are represented by Sweden, they do not consider it necessary to be represented in meetings on a regular basis. Romania's representatives are able to take part as observers, but they did not participate in meetings during the above-mentioned period.

The Head of the Policy, Trade, Press and Information Section of the European Union Delegation in Santiago chaired the meetings. The EU Delegation, in cooperation with the Member States, coordinated the meetings and drafted agendas, gathered information, produced reports, etc.

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<sup>19</sup> March 2013 – May 2014



The Member States do not, apparently, produce their own reports but, as provided for by the Visa Code, share common reports produced by the LSC in Santiago with their respective central authorities. (Sometimes, the reports are translated at the embassies.)

The visa powers of honorary consulates outside the capital were discussed at the meetings. Member States apparently transfer relevant information from the LSC to their consulates.

### **3. Current situation**

#### **3.1. Application of the Visa Code**

The Schengen meetings provide a forum for sharing experiences, customs, information and problems. At each meeting, one or other provision of the Code is discussed, and there has been a significant improvement in the responses from the various consulates.

The EU Delegation provided information to the Member States about the 'Visa Information System' which was introduced in Latin America in September 2013.

Discussions were held on the following issues:

- Consultation about the Visa Code: DG Home (European Commission) launched a public consultation on 25 March 2014 on the Visa Code, which has been in force for three years. The Commission wants to ascertain whether this legislation has met its objectives and to modernise the procedures for issuing short-stay visas for travel within the Schengen area. In addition to the public consultation, the matter is being discussed by Member State representatives and the Commission in Visa Committee meetings. The Commission has asked EU Delegations to produce a 'Top 10' list of suggested changes which could be made by Member State consulates. The Schengen Advisers noted that there have been no problems with implementing the Visa Code.
- Introduction of VIS in Chile (September 2013). The Member States commented that they have had good experiences with VIS. In March 2014, all Member States were using this system apart from two (IT issues visas for PT and FR for GR).
- It was agreed that the Chilean authorities would be informed about the introduction of VIS on 5 September 2013 in a meeting with the Policy Adviser of the EU Delegation in which she issued a *note verbale* with information on the new system. As most visas are issued to Peruvian, Bolivian and Colombian citizens, the EU Delegation provided the Peruvian, Bolivian and Colombian consulates in Chile with a copy of the *note verbale* for information.

#### **3.2. Assessment of the need to harmonise the lists of supporting documents**

The list of supporting documents was approved by the Commission on 6 August 2012, making it binding. It must therefore be published on embassy and consulate websites.

#### **3.3. Exchange of information**

The European Union Delegation is collecting and analysing statistics concerning visas applied for and issued under the auspices of the Member States. The Member States had no problems with medical insurance for travellers.

#### **3.4. Other initiatives taken under the LSC**

The LSC updated a joint information sheet which gives answers to FAQs regarding Schengen visas in Chile: rights granted, conditions for applications (Article 48, point 2), etc. This list can be found on the EU Delegation website, as can a new list with the contact details of each consulate.

#### **4. Challenges for 2014**

The topics to be discussed during the next reference period are the efforts being made to achieve greater cooperation and exchange of information in Schengen meetings with a view to improving competence and the implementation of the Visa Code. The objective is to ensure better and more uniform implementation of the Visa Code.

#### **5. Other business**

The liaison officer for the criminal investigation police of Chile (PDI) was invited to an advisers' meeting at the Chancellery to discuss problems with the implementation of the law with regard to minors leaving the country, as this is a difficult issue for consulates.

The EU Delegation provided information on the External Borders Fund (EBF). Its main aim is to support Member States with Schengen border controls. The Fund also supports projects aimed at managing controls and promoting efficient consular activities. The Fund is not managed directly by the Commission; Member States share in its management. A list of authorities responsible for the Fund in Member States was distributed. An investigation will have to be carried out on whether the funds for the period 2007-2013 have been exhausted.

The EU Delegation also provided information on initiatives at European level to introduce a visa exemption for Peruvian and Colombian citizens.



18/06/2014

## **LOCAL SCHENGEN COOPERATION (LSC) *China*** **2013-2014 REPORT<sup>20</sup>**

### **1. Introduction**

Local Schengen Cooperation (LSC) in China has a strong presence with representation of Schengen members encompassing a total of 62 Embassies and Consulates throughout China. All 28 EU Member States and 25 Schengen members are represented in Beijing<sup>21</sup>. 20 Schengen members have Consulates in Shanghai, 12 have Consulates in Guangzhou, and several also have Consulates in Chengdu, Wuhan, Shenyang and Chongqing.

Two external service providers (TLS Contact and VFS Global) are used by several Schengen states for the collection of visa applications and other Schengen states are also considering outsourcing their visa services. 12 Schengen states<sup>22</sup> have outsourced the collection of visa applications in Beijing. 12 Schengen states are using outsourcing in Shanghai<sup>23</sup>, 11 in Guangzhou<sup>24</sup>, two in Chengdu<sup>25</sup>, two in Shenyang<sup>26</sup>, one in Wuhan<sup>27</sup> and one in Chongqing<sup>28</sup>. Feedback from Schengen states regarding outsourcing services is mostly positive, focusing on the increasing numbers of applications that now can be dealt with by the outsourcing company, relieving Embassies and Consulates. Schengen states generally feel that this also allows for a more customer friendly way of dealing with visa applicants.

Once biometric identifiers are introduced in China, however, existing outsourcing systems will probably need revising. Approved Destination Status (ADS) visas for group tourism will be affected and the existing ADS MoU might have to be renegotiated. Many Schengen states are concerned about VIS causing falling numbers of Chinese tourists to Europe because of difficulties for Chinese travellers living far from Schengen Embassies or Consulates to appear in person to apply for their visa. Solving this problem is perceived as acute, not least since many Schengen states predict a 20% increase of Chinese travel to the Schengen area over the next few years.

Schengen states here are certain of a strong and steady increase in the demand for Schengen visas in the future, not only from Chinese tourism but also from business and other forms of travel. This trend is predicted to strengthen as the Chinese government is issuing more passports and Chinese citizens' purchasing power is getting stronger. However, this does not correlate with EU Delegation (EUD) available statistics of Schengen visas issued during the period April 2013 to March 2014.

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<sup>20</sup> April 2013 – March 2014

<sup>21</sup> Liechtenstein is represented by Switzerland in Beijing, Shanghai and Guangzhou.

<sup>22</sup> Italy, France, Belgium, Malta, Denmark, Germany, Austria, Spain, Norway, Greece, the Netherlands and Sweden.

<sup>23</sup> Italy, Belgium, Denmark, France, Greece, Spain, Austria, Sweden, Switzerland, Norway, Netherlands and Germany

<sup>24</sup> Italy, Belgium, Denmark, Germany, France, Austria, Greece, Spain, Switzerland, Norway, Netherlands.

<sup>25</sup> Germany, France.

<sup>26</sup> France and Germany

<sup>27</sup> France

<sup>28</sup> Denmark

(See 3.3) Due to this contradiction, EUD available Schengen visa statistics for this reporting period seem unreliable.

With intensifying interaction and movement of persons between the Schengen area and China, the LSC constellation is considered an increasingly important tool by Schengen states in Beijing in order to coordinate and harmonise work, exchange information and negotiate with Chinese authorities that tend to play Schengen states out against each other. This appreciation of the existence of an LSC China group is likely to continue.

## **2. LSC meetings held in 2013-2014**

### **Beijing**

Six regular LSC meetings were held in Beijing between April 2013 and March 2014. LSC meetings in Beijing are generally well attended. LSC in Beijing functions through frequent information exchange and regular meetings jointly organised by the EUD and the local Presidency (PRES) in Beijing, normally three times per Presidency. The EUD chairs the LSC meetings and the local PRES chairs the Local Consular Cooperation (LCC) group. Meetings are held back to back. Coordination with the PRES in preparing and evaluating the meetings is very close and meeting agendas and conclusions drawn up by the EU Delegation are usually sent for consultation to the PRES before being circulated to all MS.

Extraordinary meetings are organised when the need arises. LSC Working Groups (WG) – for example on Travel Medical Insurance and Review of the Harmonised Lists – are organised on the basis of need. These working groups regularly report back to the LSC group and normally consist of many Schengen states. Communication between Schengen Embassies in Beijing and Consulates in the country could benefit from increased frequency.

### **Shanghai**

Regular LSC Meetings are held in conjunction with the Administration Group, usually three times per PRES, and meeting minutes are prepared by the PRES. Since the EU has no representation in Shanghai, the local EU PRES chairs the meetings and writes minutes that are shared with other Schengen states. Because of strained EUD resources and budget during the reporting period, EUD has not been able to participate in LSC meetings in Shanghai.

### **Guangzhou**

LSC meetings are held in Guangzhou, but some of the issues are covered in the monthly Consul General meetings. The chairing of meetings tends to rotate monthly, and the chair also prepares the meeting minutes. EUD has not been able to attend any meetings in Guangzhou during this reporting period, due to a shortage of resources and budget.

## **3. State of play**

### **3.1 Application of the Visa Code**

The Visa Code has been implemented as closely as possible, considering available resources at the EUD. One EUD AD official in the Political Section has been working part time on LSC and Consular affairs from July 2013, also covering related political aspects such as the Migration and Mobility Dialogue and reporting on terrorism, consular matters and visa issues. A local assistant in the Political Section has been working part-time on maintaining the ADS database, assisting Schengen states on ADS issues and compiling Schengen states statistics, also from July 2013.

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

The LSC China group has sent two papers to the Visa Committee in Brussels concerning revision of the harmonised lists. A WG group initially started work on revisions in the autumn of 2013. In February 2014, a proposal was sent to the Visa Committee that, among other aspects, focused on waiving hotel and flight reservations. This proposal was questioned by the Visa Committee in March 2014 and further information from Schengen states in Beijing was requested. (A clarification was sent from LSC China on this issue to the Visa Committee in May 2014.) Among Schengen states here, there is great support for waiving flight and hotel information.

### **3.3 Exchange of information**

#### Visa statistics

EUD has not been able to obtain complete and regular reports concerning Schengen visa statistics during the reporting period. The LSC has discussed the issue and there is agreement on providing better and more uniform reporting of statistics, not least through ensuring that all Schengen states use the same template. As visa statistics normally are useful for identifying local trends and allows Schengen states to compare developments amongst themselves, the LSC group agrees that this is important work. For this reporting period, statistics available to the EUD indicate falling numbers of issued Schengen visas – including ADS visas<sup>29</sup> – which is in sharp contrast to the experience of Schengen states here. (See Introduction.) As a result, the EUD cannot provide a reliable annual statistical overview for this reporting period.

#### Cases of fraud

Over the last few years, a system of cooperation and information exchange concerning cases of fraud has been established between Schengen states in Beijing, allowing for swift action on issues such as visa annulments, migration alerts, ADS or other visa related issues. Regular meetings in the so called Anti Fraud Group, between likeminded states in Beijing, provide additional and useful information for many Schengen states. The EUD has not been participating in these meetings during the reporting period, due to strained resources.

#### Travel Medical Insurance (TMI)

A working group on TMI was formed in Beijing in September 2011, lay dormant for some time and is since the summer 2013 active again. With the assistance of the EUD, a meeting was arranged between the WG on TMI and China Insurance Association (CIA) in April 2014. The messages put forth were well received by the Chinese side and progress is expected. The TMI WG was requested by the CIA to gather additional information to better explain the situation when Chinese citizens apply for Schengen visas.

### **3.4 Any other initiative taken in LSC**

#### VIS roll out of biometrics in China

The LSC China group is greatly concerned about the roll out of biometrics in China that is due to take place sometime in 2015. Although there is widespread understanding for the fact that VIS is a worldwide scheme and that there can be no exception for China, most Schengen states here do not feel that they currently have the capacity and resources needed to deal with the consequences of an introduction of biometrics. They also fear a great fall in valuable tourism to Europe. A WG on the effects of VIS roll out in China put together a report that was sent to Brussels together with a letter from HOD Ederer in the end of December 2013, highlighting the problems that the LSC group could see. Since then, the issue has been discussed regularly in the LSC, DHOMs and HOMs

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<sup>29</sup>Excluding visas issued by Norway, who has signed a separate MoU with China.

contexts. The WG is now looking at all relevant aspects of dealing with this issue in a coordinated way.

#### Joint Schengen state response to questionnaire by MFA Consular Department on visa policy

All Schengen states (but not EUD) received questions from the MFA Consular Department in the end of 2013 concerning Schengen countries' respective visa policies. In response, Schengen states decided to provide one joint answer, which was discussed with DG Home Affairs before it was sent to the MFA. No response from the MFA has been received.

#### Approved Destination Status – ADS

Many Schengen states confer with EUD regarding issues relating to travel badges, travel agencies' authorisations, and before applying sanctions. The EUD circulates sanction proposals to Schengen states. Normally, sanctions are approved through five days of silence procedure via email communication between Schengen states. The use of *indefinite* sanctions was reviewed during the autumn of 2013, as one Schengen state Consulate in Shanghai wanted to lift an indefinite sanction it had imposed on a Chinese travel agency two years prior. This was initially disputed by the LSC group, which warned against diluting indefinite sanctions by lifting them. Eventually, there was agreement in the LSC group on lifting this particular indefinite sanction and that from then on, indefinite sanctions could only pass after explicit approval from all Schengen states.

## **4. Challenges**

### **4.1 Responses to challenges**

#### Introduction of VIS and communication with the MFA Consular Department

Introduction of biometrics in China is still considered a great challenge by Schengen states here. The crucial problem has so far been the refusal by Chinese authorities to allow for Schengen states to open visa centres in Chinese cities where a Schengen country has neither Embassy nor Consulate. Schengen states are also not allowed to employ mobile visa centres as an alternative way of reaching travellers who have difficulty applying in person. Initially, the MFA explained to the EUD that there was a temporary ban on such visa centres, while research was ongoing and the UK model<sup>30</sup> was being evaluated. Surprisingly, in early spring 2014, email requests for visa centre "wish lists" were sent to the four countries that had been visited by President Xi Jinping in March (see 3.4), without any information to EUD. Whether this represents a sincere initiative from the Consular Department to solve the visa centre issue bilaterally or whether it was a single official's own initiative, is still unclear. Addressing the visa centre issue must also include other stakeholders, however, such as the Ministry of Public Security (MPS) and Provincial authorities. Schengen states here agree to keep talking to the MFA bilaterally about visa centres, but simultaneously want the EUD to keep coordinating and monitoring this issue, not least since there is a risk that Schengen states will be played out against each other unless coordination is in place.

During discussions with Chinese counterparts in Beijing, the MFA Consular Department has recently indicated concern about the introduction of biometrics before visa waivers for diplomatic passport holders have been negotiated. This is something Schengen states in Beijing agree can be used for further discussions with Chinese counterparts on visa centres, even though biometrics is not part of the package for negotiation within the Migration and Mobility Dialogue.

#### Chinese financial interest relating to visa issuance

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<sup>30</sup> UK has a bilateral agreement with China on establishing visa centres in cities where the UK does not have Embassy or Consulate.

Related to the "ban" on setting up visa centres (above) is the financial interest that Chinese provinces and external visa service providers have in monopolising the outsourcing of visa applications. During the LSC meeting in March 2014, the group had a lengthy exchange of information about outsourcing proposals, especially from companies connected to Foreign Affairs Offices (FAOs) in different provinces. Tianjin FAO has apparently approached many Embassies in Beijing, saying it can offer services that cannot be obtained another way. Through quick information exchange, Schengen states structured coordinated responses – and refusals – to these approaches.

#### **4.2 Subjects to be addressed within the next reporting period (April 2014- May 2015)**

##### VIS roll out

The introduction of biometrics will commence in the beginning of 2015. In preparation of that, much coordination among Schengen states and communication with the Chinese MFA and Brussels can be foreseen.

##### Visa waivers and readmission within the Migration and Mobility Dialogue context

A technical working group from DG Home Affairs is likely to come to China in the beginning of July 2014, for discussions with the MFA Consular Department and the MPS on the visa waiver and readmission package discussed within the Migration and Mobility Dialogue.

##### Visa Code revision

The Visa Code revision proposed by Commissioners Tajani and Malmstrom in the spring of 2014, and its implementation in China, is an issue that may need following up with the MFA, once the proposals pass.

##### Revision of harmonised lists

In the next reporting period, it is possible that the LSC China proposal for revisions of the harmonised lists will go through in its totality, if the waiving of hotel and flight reservations is accepted by the Visa Committee in June 2014.

##### Agora

The information sharing system Agora needs to be set up in Beijing. The former system CIRCA, replaced by CIRCABC, is not the correct system for EUD information sharing with Schengen states, according to IT in Brussels.

##### EUD attending LSC meetings in Beijing and in the country

Once the new HOME / EAC colleague takes up duties in Beijing, it should be possible for EUD to attend LSC meetings in Shanghai and Guangzhou. This would improve communication flow and give EUD important feedback. Furthermore, with the EUD being able to attend different LSC working groups in Beijing, it should be possible to guide discussions in a constructive way.

##### Reporting of Schengen visa statistics

LSC agreed to provide EUD with more regular and complete visa statistics for the coming reporting period. This will need following up.

## **5. Other issues**

The establishment of a full time position at the EUD for dealing with Visa, Consular and People to People affairs and coordination from July 2014 sends an important signal to Schengen and Member

States that the EU is serious about acting on these issues in, with and sometimes against China. As Chinese counterparts are showing signs of wanting to play Schengen states out against each other, the coordinating and consulting role within the LSC context will become even more important, both for Schengen states and for the credibility of the EUD, EEAS and the Commission.

In the experience of Schengen countries here, visas is becoming a political issue and is now one of the main topics raised by Chinese leaders in bilateral interaction with Member States. As a result, this dossier needs to be followed in close contact with the Political Section of the EUD.

*This report has been approved by Schengen states in China.*





**UNION EUROPEENNE**

DELEGATION EN REPUBLIQUE DU CONGO

## **COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC) REPUBLIQUE DU CONGO (BRAZZAVILLE°)**

### **RAPPORT<sup>31</sup> 2013-2014**

#### **1. Introduction**

Quatre Etats membres ont des ambassadeurs résidents à Brazzaville : Allemagne, Belgique, France et Italie.

L'Allemagne et la Belgique ne délivrent pas de visas Schengen.

Les visas Schengen sont délivrés par trois entités :

- la section consulaire de l'ambassade d'Italie à Brazzaville,
- la section consulaire de l'ambassade de France à Brazzaville,
- le consulat général de France à Pointe Noire,

Aucun de ces trois entités n'a recours à un prestataire extérieur pour la réception des demandes de visas.

La France délivre des visas en représentation de l'Autriche, l'Allemagne, la Belgique, l'Espagne, la Grèce, la Lituanie, le Luxembourg, Malte, les Pays-Bas, le Portugal et la République tchèque.

L'Italie délivre des visas en représentation de la Suède et de la Slovaquie.

Il n'y a pas eu de modification dans la représentation des Etats membres en 2013-2014.

Les consuls honoraires des Etats Schengen ne jouent aucun rôle en matière de visas Schengen à l'exception du consul honoraire d'Espagne. En dépit de l'accord de représentation passé avec la France, l'Espagne a continué en 2013 à demander aux ressortissants de la RC de se rendre à son ambassade à Kinshasa pour la délivrance de visas. Ce message a été diffusé régulièrement sur une chaîne de télévision. Il indiquait de s'adresser au consul honoraire à Brazzaville pour obtenir les renseignements. Le panneau d'affichage à l'extérieur du consulat honoraire donne la liste des documents à fournir pour constituer un dossier de demande de visa ce qui indique une activité en matière de renseignement sur les visas et peut-être de réception des demandes de visa.

#### **2. Réunions LSC organisées en 2013-2014**

La réunion annuelle a lieu en format ambassadeurs. La France la préside. Elle s'est tenue en novembre en 2013. Tous les Etats membres sont invités y compris ceux qui ne délivrent pas de visas Schengen et ceux qui ont des ambassadeurs non résidents accrédités au Congo. La participation est bonne parce que la coopération Schengen est incluse dans un ordre du jour plus vaste qui comprend d'autres questions consulaires voir politiques. La question de l'application de l'accord de représentation passé entre la France et l'Espagne a été soulevée pendant la réunion annuelle de 2013. Le rapport a été fait par le DUE. Il a été communiqué aux Etats membres.

<sup>31</sup> Avril 2013 – Mars 2014

Il n'y a pas de coordination hors capitale parce qu'une seule entité délivre des visas hors capitale : le consulat général de France à Pointe Noire. L'ambassade de France rend compte de son activité.

### **3. Etat des lieux**

#### **3.1 Application du Code des Visas**

Les EM et la DUE ont une parfaite connaissance de leurs obligations en matière de coopération au titre du Code.

#### **3.2 Estimation du besoin d'harmonisation de la liste des documents justificatifs.**

*Si les travaux d'harmonisation n'ont pas encore été finalisés*

La section consulaire de l'ambassade d'Italie et la section consulaire de l'ambassade de France ont harmonisé leurs pratiques mais pas complètement la liste des documents exigés des demandeurs. Il est prévu de transmettre une liste harmonisée au Comité Visa en 2014.

#### **3.3 Echange d'informations**

Les statistiques sont échangées lors de la réunion annuelle. Chaque Etat qui délivre en représentation d'un autre Etat fournit des statistiques à ce dernier à la demande. T

Il existe des compagnies d'assurances sérieuses qui offrent des prestations conformes au code mais il peut y avoir des contentieux car les compagnies ne prennent pas en charge les soins pour des maladies que les demandeurs avaient avant de partir.

L'information circule de manière fluide, informelle et régulière en ce qui concerne les documents non fiables et les cas particuliers. La réunion annuelle est aussi l'occasion d'un échange sur les différents types de fraude.

### **4. Défis**

1. Les Etats Schengen veulent que les autorités réduisent le nombre des bénéficiaires des passeports diplomatiques et de service mais cette volonté se heurte à une très grande réticence. La détection des faux documents reste un défi permanent.

2. Transmettre une liste harmonisée des documents exigés au Comité Visa.

### **5. Divers**

RAS

# **COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS MEMBRES (LSC) EN CÔTE D'IVOIRE RAPPORT 2013-2014:**

## **1. Introduction:**

Six Etats membres de l'espace Schengen (ci-après Etats membres) sont représentés en Côte d'Ivoire: l'Allemagne, la Belgique, l'Espagne, la France, l'Italie et la Suisse. La Délégation de l'Union européenne en Côte d'Ivoire assure la coordination des réunions LSC.

Par rapport à 2013, une diminution globale des demandes des visas vers l'espace Schengen est constatée depuis le début de l'année 2014. Seule la France a constaté une forte hausse des demandes de visas (+30 % en 2013). Plusieurs Etats membres (l'Espagne, l'Allemagne, la Suisse, l'Italie, la France) ont recours à l'externalisation pour les demandes de rendez-vous.

### **Réunions LSC organisées en 2013-2014:**

Trois réunions ont eu lieu pendant la période avril 2013/mars 2014: en juin 2013, organisée à la Délégation de l'Union européenne; en février 2014 organisée à l'Ambassade de Suisse; et en mars 2014, organisée à la Délégation de l'Union européenne. Tous les Etats membres représentés en Côte d'Ivoire ont participé à ces réunions. Un rapport de chaque réunion est rédigé par la DUE et partagé avec les Membres.

La coordination est assurée uniquement à Abidjan.

## **2. Etat des lieux:**

### **2.1. Application du Code des Visas:**

Les Etats membres représentés en Côte d'Ivoire appliquent les règles du Code des Visas. Leurs services échangent des informations relatives aux refus de visas, afin d'éviter le "visa shopping", ce qui figure parmi les buts poursuivis par la mise en place du VIS.

### **2.2. Estimation du besoin d'harmonisation de la liste des documents justificatifs:**

Avant la crise post-électorale, les Etats membres avaient débuté des travaux visant à harmoniser la liste des documents justificatifs. Après des nouveaux échanges sur le sujet en 2013, le groupe Schengen estime qu'une harmonisation suffisante a été établie: les Etats Schengen exigent globalement les mêmes documents pour la délivrance d'un visa. Les différences demeurent seulement dans les détails (par exemple, sur les types des justificatifs exigés).

### **2.3. Echange d'informations:**

Tous les Etats membres partagent leurs statistiques trimestriellement. La Délégation de l'Union européenne a pris l'initiative d'envoyer un "rappel" au groupe Schengen chaque trimestre.

En ce qui concerne l'assurance médicale de voyage, chacun dispose de sa propre liste. Par exemple, la Belgique se fonde sur la liste des assurances reconnues par l'Etat ivoirien si elles répondent aux critères Schengen. La Belgique accepte aussi des assurances venant des pays Schengen et contractées p.ex. via internet. La Suisse a établi sa propre liste. La France, quant à elle, admet

comme valides toutes les "assurances certifiées Schengen", et a établi sa propre liste sur base de celles-ci. Les Etats Schengen sont d'accord pour une harmonisation des assurances validées. Une proposition a été faite d'établir cette harmonisation dans les mois qui viennent.

Des réunions *ad hoc* sont organisées à propos des questions de fraudes.

### **3. Défis pour 2014-2015:**

Suite à la hausse des demandes en 2012-2013, les Etats membres ont essayé de rendre leurs services visas plus efficaces par un recours aux prestataires de service extérieurs pour les demandes de rendez-vous visas. Ceci semble faciliter le processus pour ceux qui ont choisi de le faire, comme l'Allemagne, l'Espagne, la France et l'Italie. Par un contrôle plus serré du prestataire de rendez-vous et l'obligation de confirmation du rendez-vous par les demandeurs, la France a réduit le no-show d'une moyenne de 40 % à moins de 10%, et l'Italie l'a ramené à 10-15%. En revanche, la Belgique a opté pour une internalisation de tout le processus, et traite désormais toutes les demandes de rendez-vous de visa par email.

**Certains consulats font face à des problèmes d'accueil**, les espaces et le staff sont trop justes pour répondre à la hausse rapide des demandes de visas. Depuis la mise en place du système VIS, la France a recruté deux agents supplémentaires en décembre 2013. Mais le service des visas n'a que 7 guichets opérationnels et la salle d'attente est trop petite. Un projet d'aménagement immobilier du service des visas qui serait financé en partie sur fonds européen (FSI) a été soumis à Paris par le Consulat de France. L'Italie emploie 3-4 personnes dans la section visa; l'Allemagne 3; la Suisse 2 personnes; la Belgique 4 personnes, et l'Espagne 3 personnes.

L'augmentation en 2013 de la fréquence aérienne vers l'espace Schengen a un impact important sur le travail des Consulats.

## **ANNEX I: Le tableau des statistiques consulaires 2014**

	<b>Allemagne</b>	<b>Belgique</b>	<b>Espagne</b>	<b>France</b>	<b>Italie</b>	<b>Suisse</b>
<b>1. Nombre des rendez-vous par semaine</b>	30 par semaine (jusqu'aux 45 en période haute*)	90 (visas ordinaires)	<i>Pas d'information confirmée.</i>	660 (visas ordinaires)	100	60
<b>2. Délai d'attente pour une rdv</b>	1-2 semaines	5 jours au maximum	15 jours	48 en période basse; 15-21 en période haute*	20 jours – 1 mois en période haute*	5 jours – 3 semaines en période haute*
<b>3. Délai d'attente de délivrance du visa</b>	2-3 jours	48 heures	15 jours au maximum	48 heures	1 semaine – 15 jours en période haute*	15 jours (mais plus rapide si la date de départ est avant)
<b>4. Nombre des visas délivrés par semaine (environ)</b>	30	60	40	336	80	43
<b>5. Nombre du staff employé dans les services visa</b>	3	4	3	12	4	2-3

\*Période haute: juin-septembre.

Cairo, 21 May 2014

## **LOCAL SCHENGEN COOPERATION (LSC) Arab Republic of Egypt 2013-2014 REPORT<sup>32</sup>**

### **1. Introduction**

Local Schengen Cooperation (LSC) between Schengen Member States in Egypt has continued systematically throughout the year under the coordination of the European Union Delegation to Egypt. Local Schengen Cooperation meetings are held four times a year and are convened and chaired by the EU Delegation while Consular Cooperation meetings are chaired by the country holding the Presidency of the Council of the EU. Consular Cooperation meetings are generally organised back-to-back with LSC meetings. During the reporting period, Ireland, Lithuania and Greece chaired the Consular Cooperation group.

With the exception of Luxembourg, all EU Schengen Member States are represented in Cairo. All Schengen Member States, including Norway and Switzerland, are part of the group (Belgium represents Luxembourg). Most Schengen Member States continued to attend the group's meetings on a regular basis.

Italy, Switzerland, Denmark, Greece, France, Spain and Sweden have outsourced the collection of visa applications to external service providers.

### **2. LSC meetings held in 2013-2014**

During the reporting period, four LSC meetings were held<sup>33</sup>. All meetings were well attended.

All meetings were chaired by the EU Delegation to the Arab Republic of Egypt. No co-chairing took place.

For each meeting, the EU Delegation drafted the agenda, coordinated the demarches agreed during LSC meetings, drafted and circulated the minutes, and collected all the information needed for coordination efforts.

The EU Delegation to Egypt has encouraged Member States to share these reports with their capitals.

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<sup>32</sup>

April 2013 - April 2014

<sup>33</sup>

22 May 2013, 25 September 2013, 20 November 2013, 19 February 2014

Coordination with Member States represented in Alexandria (France, Greece, Italy and Spain) took place. These Consulates were included in the mailing list of the EU Delegation and therefore received the same information as the Consulates in Cairo.

### **3. State of play**

#### **3.1 Application and revision of the Visa Code**

During the reporting period, the EU Delegation to Egypt chaired and provided the secretariat to the group. The EU Delegation liaised on a regular basis with the European Commission - DG HOME to ensure that it had a correct understanding and mastering of the Visa Code and its amendments, as well as to provide timely clarifications on the Code's implementation to Local Schengen Member States representatives.

The EU Delegation coordinated the input from Member States regarding the revision of the Visa Code. The Cairo LSC Group was one of the 20 groups that shared their view on the revision of the Visa Code. Most comments related to the redrafting of the same approximately 10 articles. The Cairo LSC group made recommendations mainly pertaining to such items as

- The 15 day period to organise appointments
- The harmonisation of the visa fee (in local currency)
- The competence of airline companies to assess migratory risks
- The need to reinforce return controls
- The exemptions for biometrics, etc.

The EU Delegation strived to fulfil its local coordinating role in the field and to provide quality support and feedback to Local Schengen Member States representatives, upon request.

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

The harmonised list of supporting was adopted by the Visa Committee in November 2011 and subsequently adopted by the European Commission on 27 February 2012. It entered into force on 1 March 2012. The LSC group also translated the list into Arabic.

The LSC Group held a discussion on the so-called Movement certificate. According to article 1.1 of the harmonised list, a movement certificate or so-called Mogamma certificate is requested for first time applicants and for applicants that have lost their passport. This certificate allows Member States to assess the migratory and security risk that an applicant poses, by giving the travel details of this applicant for the last seven years.

The Egyptian Ministry of Foreign Affairs requested the Member States to limit the use of this movement certificate by exempting three categories of travellers:

- Those who have previously obtained an EU entry or departure visa without problems

Those who wish to obtain an EU entry visa with the purpose of treatment after submitting documents supporting their case and the embassy should verify such documents

- Those who wish to have an entry visa to the EU with the purpose of studying or participating in scientific conferences after submitting documents supporting their case and the embassy should verify such documents

Upon agreement with the Member States, a reply was sent to the MFA by verbal note. The reply informed the MFA about the requirement for a movement certificate and detailed the discretionary competence of the Member States in this matter.

### 3.3 Exchange of information

- **Monthly statistics** (visa applications/issuances) were shared via e-mail. Member States agreed on a template for the visa statistics, in order to facilitate the aggregation of the yearly data. The EU Delegation aggregated the data Member States filed on a regular basis. The overview of the 2013 data was discussed during the February 2014 LSC meeting and is attached to this annual report. The visa statistics reflected regular tendencies: a refusal rate oscillating between 10 to 15 percent and a drop in demands in January. Member States agreed that this refusal rate does not only include refusals, but also visas that are not issued, among others.
- **Use of Arabic version of visa documents.** Some Member States have an Arabic version of the websites and make the visa form instructions available in Arabic. No Member State allows the visa forms to be filled out in Arabic.
- **Handling of visa applications from Syrian citizens.** Member States procedures regarding visa applications from Syrian citizens range from referring them to the competent consulates (mostly in Turkey), to treating them on a case-by-case basis. If applications are processed, refusal rates tend to be relatively high (70% to almost 100%).
- **15 days grace period.** Member States held a discussion on the implementation of art. 24 of the Visa Code. Most Member States apply the 15 days grace period, often automatically. However, the implementation of the article raises concerns with the validity of the TMI.
- **Blacklisted persons and suspicious applications.** Member States regularly exchange information by e-mail on blacklisted applicants and suspicious visa applications.
- **Travel Medical Insurance (TMI):** The LSC group reviewed the request of one company (Tokio Marine Egypt General Takaful) to be added to the list of approved TMI's. Tokio Marine Egypt General Takaful is the successor company of Nile General Takaful, which was already on the list of TMI's. The policy proposed by Tokio Marine Egypt General Takaful was similar to the one previously proposed by Nile General Takaful and met all requirements. The request was thus approved by all Member States. An updated version of the Cairo Schengen Common list of insurance companies offering adequate TMI coverage was subsequently circulated to all Cairo LSC members.



### 3.4 Any other initiative taken in LSC

- **Special Passports.** Besides the regular passports, Egypt also issues diplomatic passports, service passports and special passports. Whereas the former two are excluded from prior consultation (VISION), the latter is not exempted. Since this kind of passport is issued to VIPs it is at times cumbersome to explain why they are not exempted whereas the other two categories are exempted. Member States tasked the EU Delegation to inquire with the Egyptian authorities which Egyptian citizens hold special passports, in order to feed into a discussion in the Visa Committee on a potential exemption from prior consultation.

A meeting between the EU Delegation and the Protocol Department of the Egyptian MFA took place on 30 October 2013. During that meeting, the MFA informed the EU Delegation about the Egyptian Law on Official Passports, but failed to confirm this information in writing, notwithstanding the EU Delegation's repeated requests (phone calls and verbal note). It was decided to put the issue on hold until the MFA's written reply.

## 4. Challenges

1. Response to the challenges listed in the previous report
  - **Drafting the Common Information sheet:** DG HOME is currently developing a template to guide the work of all LSC groups when drafting the Common Information sheet. The LSC Cairo will draft the Common Information sheet as soon as the template is received.
2. Describe subjects to be addressed within the next reporting period (2014-2015).
  - Drafting the Common Information Sheet
  - Providing regular updates to LSC Cairo on the revision of the Visa Code.
  - Providing regular feedback to the European Commission on LSC Cairo's views/field experience as required.

## 5. Other issues

**Variation of visa fees in local currency:** The Cairo LSC feels it would be timely for the Visa Committee to define a harmonised currency exchange methodology to be applied in all LSC locations to avoid visa fees variations in local currency. This issue cannot be resolved at the local level unless Member States adopt a common methodology.



## **EUROPEAN UNION**

DELEGATION TO THE STATE OF ERITREA

The Head of Delegation

30/07/2014

# **LOCAL SCHENGEN COOPERATION (LSC): ASMARA 2013-2014 REPORT**

## **1. Introduction**

This is the fourth annual report of LSG in Asmara.

Since the third report and after the closure of the Embassy of Norway as of 1 July 2013, only Italy has been delivering Schengen visas in Eritrea.

In the reporting period Italy represented Italy, France, Germany, Malta, Portugal, Sweden, and as of 2 January 2014 also the Netherlands. Other countries previously represented by Norway are covered either from Sudan, Kenya or Egypt.

Other MS had not signed a representation Agreement with Italy and were therefore not represented in Asmara regarding Schengen visas.

## **2. LSC meetings held in 2013-2014**

Due to the fact that there is only one Embassy issuing Schengen visa, no specific coordination meeting was held in this period. The relevant issues were discussed and information shared during bilateral meetings, including with visiting non-resident Ambassadors.

## **3. State of play**

### **3.1 Application of the Visa Code**

After the meetings in 2010, 2011, 2012, 2013 MS are well prepared for tasks to be carried out under the Visa code. No specific problems relating to the implementation of the Visa Code have been noticed.

While MS have recognized the travel documents (citizens' passports) of Eritrea, a limited number of MS still do not recognize service passports.

In case the MS consider that no Schengen visa should be granted, the possibility remains to consider a national visa by the country the applicant will visit.

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

The harmonised list of supporting documents has been agreed already in 2011-2012. As of May 2013 Italy remains the only country in Eritrea that is issuing Schengen visa and has been using the agreed list of supporting documents.

The document checklist to be provided in case of a visa application in Eritrea include the following: visa application form, photograph, passport or travel document, payslips for the last three months, letter from employer, organization or school, information on applicants' family, proof of financial responsibilities in Eritrea, invitation letter, proof of family relationship with the sponsor (for family visits), certified copy of sponsor's passport/ residence permit, sponsor's payslip for the last three months, sponsor's employment contract, documentation regarding the purpose of the visit, travel health insurance valid for all Schengen countries.

### **3.3 Exchange of information**

The LSC has agreed to exchange information regularly on statistics of visa applications and also on difficulties encountered. The missions cooperate on issues of identification of illegal migrants and cases of fraud. The consular sections have a system of control of returnees and, Italy also has a tracing system of sponsors of people who have defected. Coordination issues, notably whenever there are concerns about potential fraud/abuse/integrity issues have also been discussed during meetings.

### **3.4 Any other initiative taken in LSC**

N/A

## **4. Challenges in 2013-2014**

The main challenge following the closure of the Norwegian Embassy is that only a limited number of MS have signed the representation agreements with Italy. The rest of MS remain unrepresented in Asmara regarding Schengen visas.

The other challenges are linked to the continuous unstable political situation in Eritrea, Horn of Africa and the high level of migration (legal, illegal) from the country.

## **5. Other issues**

N/A



EUROPEAN UNION

Delegation of the European Union

July /2014

## **LOCAL SCHENGEN COOPERATION (LSC)**

### *The former Yugoslav Republic of Macedonia*

### **2013-2014 REPORT<sup>34</sup>**

#### **1. Introduction**

Sixteen member states (AT, BG, CZ, DE, ES, FR, GR, HR, HU, IT, NL, PL, RO, SK, SI, SE, UK) and two Schengen members (CH, NO) Note Norway closed its embassy in 2012) have their consular offices in the former Yugoslav Republic of Macedonia. No representations arrangements are known to have been concluded between member states for the purpose of examining applications and issuing visa on behalf of a member state not present in the country. Currently one member state uses an external service provider for the collection of applications. Since the entry into force of the Visa Code, the EUD is in charge of the coordination of local Schengen cooperation meetings.

The former Yugoslav Republic of Macedonia was granted candidate country status for EU membership in 2005. A visa facilitation agreement and readmission agreement with the EU has been in force since 1 January 2008. Visa liberalisation entered into force on 19 December 2009, allowing the country's citizens in possession of a valid biometric passport to travel to the Schengen area without visa for up to 90 days per six-month period. Following the entry into force of the visa liberalisation, the number of visa applications for entry into the Schengen dropped significantly.

#### **2. LSC meetings held in 2013-2014**

Two LSC meetings (one in 2013 and one in 2014) have been held since the entry into force of the Visa Code. The meetings are held back-to-back with meetings on consular protection of EU citizens. The meetings are well attended by member states present in the country. Non-Schengen member state (UK) and Schengen members (CH, NO) also participate in the meetings. LSC meetings are generally held in the EUD's premises although under the GR presidency it was held in their Liaison Office. Minutes of the meetings are drawn up by the EUD and circulated among the attendees. Some member states share these minutes with their capitals, while some draw up their own reports for their headquarters. Due to the size of the country there is no need for coordination with the LSC in locations outside Skopje.

Every LSC meeting discusses inter alia the issue of asylum-seekers from the country into Schengen states and the measures imposed by the authorities to counter these flows. During the February 2012 meeting it was agreed that the Consular Cooperation meeting will be chaired by the UK assisted by the EU Delegation. The Schengen Cooperation continues to be chaired by the EU Delegation.

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<sup>34</sup> April 2013 – March 2014

### **3. State of play**

#### **3.1 Application of the Visa Code**

Regular LSC meetings provided opportunity to discuss and exchange information on implementation of the visa free regime, migratory risks, number of asylum applications of country's citizen registered, ways of transportation, use of false or forged documents, etc. Following an initiative of a number of MS, the uniform visa application form has been translated into the host country languages. Monthly statistics on visas issues have been exchanged electronically. Member States also exchange information on matters such as false or forged documents as cases arise.

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

In the context of the visa free regime, it was assessed that most of the harmonisation requirements under LSC are not needed. According to information exchanged and considering local circumstances, differences in the fee charged in local currency and application of optional visa fee waivers do not lead to visa shopping. As some member states charge the visa fee exclusively in Euros and the Euro exchange rate into local currency is stable, visa shopping based on differences in the fee charged in local currency can be excluded.

#### **3.3 Exchange of information**

Harmonising the list of supporting documents has not been assessed as a priority need in the context of visa free regime with only an insignificant number of non-biometric passport holders. So far, no steps have been taken towards preparing a harmonised list of supporting documents. The validity of non-biometric passports expired in February 2012 and as a result all travellers do so with biometric passports.

A common information sheet on uniform visa, visas with limited territorial validity and airport transit visas have not been established due to the context of the visa free regime in force since December 2009.

#### **3.4 Any other initiative taken in LSC**

### **4. Challenges**

Following the entry into force of visa free regime, a high number of the country's citizens applied for asylum in EU and Schengen countries. NOTE DATA PROVISIONAL AND INCOMPLETE AS WE AWAIT FRONTEX REPORT FOR 2013. DATA IN TEXT TAKEN FROM MONTHLY PVLMM REPORTS According to FRONTEX, 7045 citizens applied for asylum in Schengen countries in 2013 an increase from 6719 in 2012. This represents xx% (2.4 %) of all asylum applications in the EU, and yy % of applications from visa free countries. YY ( 4556 in 2012) applications were filed in Germany followed by Switzerland XX (1112), Sweden XX (615), Belgium XX (261) and Luxembourg XX (175). Further monitoring and exchange of information on the implementation of the visa liberalisation remain the main challenges for LSC in 2013-2014.

The country continues to face increasing migratory flows from out of region countries (Afghanistan, Pakistan, Middle East and North Africa) transiting to Western Europe. Number of detected illegal migrants remains quite low. In 2013, 340 persons, including those granted subsidiary protection, persons recognised as refugees, and persons granted asylum used the right to free health. The asylum unit in the Ministry of Interior continued with providing identification documents to the

asylum seekers. In 2013, 54 ID cards were issued (31 in 2012) while 1323 applications for asylum were made (527 in 2012). The asylum procedure for 1266 cases was stopped because the applicants left the reception centre prematurely. The status of refugee was recognised in 4 cases. The recognition rate still remains very low. The centre for integration of refugees and foreigners continued to implement the Integration Strategy by construction of 20 social housing units. Continued attention should therefore be given to monitor the country's receptions capacities, asylum and return procedures, implementation of return procedures and border control capacities.

*1. Describe the response to challenges, if any, listed in the 2012-2013 report*

The authorities continued their heightened activities to prevent asylum seekers from the country and report on a monthly basis to the EU in Brussels. Asylum seekers arriving in the former Yugoslav Republic of Macedonia

*2. Describe subjects to be addressed within the next reporting period (2014-2015).*

Continued monitoring of actions to reduce the problem of false asylum seekers from the former Yugoslav Republic of Macedonia.

Continued attention should be given to monitor the country's receptions capacities, asylum and return procedures, implementation of return procedures and border control capacities.

## **5. Other issues**

None.



UNION EUROPÉENNE  
DELEGATION AU GABON,  
POUR LA GUINÉE ÉQUATORIALE,  
SAO TOME-ET-PRINCIPE ET LA CEEAC

Libreville, le 21 mai 2014

**COOPERATION LOCALE AU TITRE DE SCHENGEN** **ENTRE**  
**LES CONSULATS ET LES ETATS-MEMBRES (LSC)**  
**LIBREVILLE - GABON**  
**RAPPORT<sup>35</sup> 2013-2014**

## **1. Introduction**

### 1.1. Présentation

Il y a quatre EM présents au Gabon : DE, ES, FR, IT. FR délivre quelque 13.000 visas par an et le chiffre est en hausse constante. IT en délivre 900 et ES 900.

Il y a aussi quatre consulats honoraires (BE, CH, NL, PL) mais ils ne délivrent pas de visa.

DE ne délivre pas de visas. Les visas pour les seuls ressortissants gabonais sont délivrés pour DE par FR.

FR délivre également des visas de court séjour Schengen pour AT, BE, CZ, EL, EE, HU, LU, LT, LV, NL ainsi que pour la Suisse.

ES représente PT et SE.

### 1.2. Activité visa de la France en 2013

*Activité « visas » (tous types de visas confondus) de 2013 :*

- 14.267 demandes, contre 11.674 en 2012, soit une augmentation de 22,2% de la demande traitée.
- 12.923 visas délivrés contre 10.320 en 2012 et 9.771 en 2011, soit une progression de 35 % entre 2011 et 2013
- 2.186 visas de circulation ont été délivrés
- 7,72 % de taux de refus contre 9,84 % en 2012.

S'agissant des visas « Schengen » stricto sensu, FR en a délivré 11.652 en 2013, contre 9.104 en 2012 et 8.587 en 2011, soit une progression de +35%.

*Délivrance des visas par le Consulat de France en représentation.*

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<sup>35</sup> Avril 2013 – mars 2014

La France représente au Gabon 12 Etats membres de l'espace Schengen : Allemagne, Autriche, Belgique, Estonie, Grèce, Hongrie, Lettonie, Lituanie, Luxembourg, Pays Bas, République Tchèque et Suisse.

En 2013, la France a délivré 969 visas en représentation, contre 746 en 2012, soit une progression de 29,9 %.

La France a délivré des visas pour le compte des pays suivants :

- Allemagne : 302 visas délivrés, dont 29 sur passeport diplomatique (les ressortissants gabonais titulaires d'un passeport diplomatique sont exemptés de visa pour se rendre en Allemagne).
- Autriche : 53 visas délivrés
- Belgique : 445
- Estonie : 2
- Grèce : 3
- Hongrie : 44
- Lituanie 2
- Luxembourg : 12
- Pays-Bas : 96
- Pologne : 2
- Rép. Tchèque : 8

Total : 969 visas délivrés

#### 1.3. Activité visa de l'Espagne en 2013

*Activité « visas » (tous types de visas confondus) de 2013 (y compris visas délivrés en représentation)*

- 1051 demandes (845 en 2012)
- 915 visas délivrés (727 en 2012)

#### 1.4. Activités visa de l'Italie en 2013

- 1024 demandes (1099 en 2012)
- 924 visas délivrés (1052 en 2012)

L'année 2013 a été perturbée par la fermeture du consulat pendant un mois suite à son déménagement.

#### 1.5. Activité visa de la Suisse en 2013

- 91 visas délivrés

Jusqu'à fin 2013, les visas étaient établis via l'Ambassade de Suisse à Kinshasa. Depuis début 2014, les visas sont établis par le Consulat de France à Libreville.



## **2. Réunions LSC organisées en 2013-2014**

La coordination est assurée seulement à Libreville, seul lieu où se trouvent les consulats.

Les dernières réunions annuelles LSC (EM et DUE) ont eu lieu le 7 juin 2013 et le 13 mai 2014. S'y ajoutent des réunions entre les trois pays qui délivrent des visas. Une réunion de coordination Schengen s'est ainsi tenue le 2 décembre 2013, réunissant ES + IT + FR. Les travaux ont porté essentiellement sur le mode opératoire à retenir pour élaborer une liste commune des pièces à fournir.

## **3. Etat des lieux**

### **3.1 Application du Code des Visas**

Il y a beaucoup d'échanges par courrier électronique entre les trois consulats délivrant des visas.

### **3.2 Estimation du besoin d'harmonisation de la liste des documents justificatifs.**

Les documents justificatifs sont proches mais doivent encore être harmonisés sur la base de la liste de FR. Un document normalisé va être finalisé.

### **3.3 Echange d'informations**

Les statistiques sont échangées régulièrement.

L'assurance médicale de voyage ("TMI") ne pose pas de problème particulier. En cas d'utilisation d'une carte de crédit incluant une assurance, il faut néanmoins souvent préciser que la production de la carte ne suffit pas et qu'une attestation de l'émetteur est aussi demandée. En cas de voyage officiel, la prise en charge sur l'ordre de mission suffit, si celui-ci précise que les frais médicaux et de rapatriement sont à la charge de l'Etat gabonais.

En cas de fraude, il y a communication systématique entre les trois consulats délivrant des visas. Il s'agit le plus souvent de faux justificatifs (contrats, bulletins de salaire, etc.)

Il faut souvent informer les demandeurs que, à la frontière, la production du visa ne suffit pas et que le fonctionnaire de police peut aussi demander des justificatifs (tels que sur les conditions de séjour ou l'objet du voyage).

En cas de refus de visa, il y a un échange d'informations avec les autres consulats.

### **3.4 D'autres initiatives prises en LSC**

Rien à signaler.

## 4. Défis pour 2013-2014

L'externalisation sera un dossier important. FR a obtenu l'accord de principe : l'externalisation sera mise en place au plus tard avant l'ouverture du nouveau pôle diplomatique et consulaire français prévue pour fin 2016. Il s'agit d'un projet étudié avec l'Ambassade d'Italie. Cette externalisation permettrait de faire face à la croissance des demandes de visas, avec une capacité supplémentaire de quelque 5000 visas/an.

## 5. Divers

### 5.1. Rappel des exemptions de visa pour les ressortissants gabonais

- FR : passeports diplomatiques et de service
- CH : passeports diplomatiques et de service (prévu pour fin 2014)
- DE : passeports diplomatiques
- ES : passeports diplomatiques (en discussion)
- IT : passeports diplomatiques (en discussion)

### 5.2. Nouvelles dispositions du Cameroun pour les demandes de visas émanant de non-originaires de la CEMAC

Le Cameroun oblige désormais les résidents CEMAC qui ne sont pas originaires de la CEMAC, et qui sollicitent un visa pour le Cameroun, à voyager par CAMAIR CO. Cette disposition concerne donc les ressortissants de l'UE établis au Gabon. L'Ambassade de France va saisir les autorités camerounaises pour protester contre cette pratique discriminatoire pour ce qui est des compagnies aériennes. Une note verbale commune des différentes ambassades pourra être proposée si nécessaire.

Le présent rapport a été approuvé par les ambassades et consulats des Etats membres de la coopération locale Schengen présents à Libreville.



**EUROPEAN UNION**  
DELEGATION TO GEORGIA

27 May 2014

## **LOCAL SCHENGEN COOPERATION (LSC) IN GEORGIA 2013-2014 REPORT<sup>36</sup>**

### **1. Introduction**

There are 13 Schengen MS present in Tbilisi (12 EU<sup>37</sup> and Switzerland). Additionally, Bulgaria and Romania participate in the LSC meetings. UK is invited to participate and they do so in case a point on the agenda is relevant to UK.

The current representation agreements are as follows:

Switzerland represents Austria

The Netherlands represent Belgium, Luxemburg, Spain

Estonia represents Denmark

Germany represents Finland, Portugal

Latvia represents Hungary, Sweden

Lithuania represents Slovakia

Italy represents Malta

Poland represents Slovenia

France represents Iceland, Norway

Also:

Cyprus – is covered by its Consulate in Ukraine or Armenia

Two MS outsource collection of applications to an external service provider; their experience so far is very positive and helps reduce the waiting times.

The visa refusal rate in Georgia is considered high in comparison with other Eastern Partnership countries. Visa Facilitation and Readmission Agreements between the EU and Georgia are in force since March 2011. Since 26 February 2012 Georgia is in the process of implementation of the Visa Liberalization Action Plan. One assessment mission on Phase 1 of the Visa Liberalization Action Plan took place in the reporting period; it concluded good progress made by Georgia on Blocks 1 and 2. The Georgian authorities hope to achieve the aim of visa free travel to the EU by the next EaP Summit in Riga in summer 2015.

### **2. LSC meetings held in 2013-2014**

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<sup>36</sup> April 2013 – March 2014

<sup>37</sup> Czech Republic, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, the Netherlands, Poland, Sweden

6 LSC meetings were held in the reporting period. Usually approximately half of the Member States invited (15 + UK) attend each LSC meeting. Certain MS rarely attend. The meetings are chaired by the EUDEL. The reports are drawn by the EUDEL and send to MS in Tbilisi and to DG HOME. The MS are encouraged to share these reports with the capitals, and some MS follow this recommendation.

Representatives of the GEO MFA Consular Department attended one meeting to discuss new GEO Law on Immigration and its implications for EU citizens (the impact will be limited; GEO is not going to re-introduce visas for EU MS, but the visa-free stay in the county will be limited to 3 in every 6 months). The issues of high number of falsified supporting documents and negative role of intermediary companies charging were also discussed.

The LSC venue was used for a presentation on illegal migration trends by an Immigration Liaison Officer from one MS. Document and Visa Adviser from another MS also attended the LSC meeting to share his experience with false asylum seekers.

LSC meetings take place only in capital where all Consulates are located.

### **3. State of play**

#### **3.1 Application of the Visa Code**

The level of cooperation between the MS and the EUDEL within the LSC increases. Usually the MS provide replies to questions received from DG HOME or one of the MS in a timely manner. Coordination work by the EUDEL was assured by one dedicated colleague. Consulate-to-Consulate exchanges are well established and promoted within the group.

The EUDEL regularly shares with the MS relevant information, like minutes from the Visa Committee meetings, information about relevant websites, reports etc.

### **2. Assessment of the need to harmonise the lists of supporting documents**

Discussions on the harmonized list of supporting documents were concluded in December 2013 and the last suggestions of the Visa Committee taken on board in January 2014. MS were encouraged to provisionally apply the list before its formal adoption which took place on 29 April 2014.

#### **3.3 Exchange of information**

Monthly statistics' exchange stalled after the responsible colleague left Georgia, but the need to continue exchanging statistics was stressed by several MS, and the practice resumed in January 2014 with one MS assuming responsibility for that.

The MS continue to exchange information on Visa Code compliant travel medical insurance, falsified supporting documents, visa refusals and false visa stickers, increased migratory risks.

MS kept informing each-other about the recognition of Status Neutral Travel Documents; currently 8 MS: BG, EE, PL, CZ, SV, LV, LT, RO recognize the SNTDs.

In the reporting period LSC was asked to submit proposals for amendments to the Visa Code. 6 articles of the Visa Code were proposed to be amended.

### **3.4 Any other initiative taken in LSC** *n/a*

## **4. Challenges**

### **4.1. Response to challenges listed in the 2012-2013 report**

The issue of high visa refusal rate in Georgia has been raised in the LSC meetings and a list of possible reasons sent to DG HOME in February 2014.

The positive experience of two MS which went ahead with outsourcing the collection of supporting documents for visa applications has been shared with other LSC members.

Further facilitation for family members according to Visa Facilitation Agreement Declaration was considered; DG HOME was provided with a table illustrating MS practices in this regard. No harmonization was achieved.

A proposal to harmonise practices in relation to waiving visa fee for persons accompanying disabled was followed.

MS reported progress in reducing waiting times related to the visa application appointment system.

### **4.2. Subjects to be addressed within the next reporting period (2014-2015).**

High visa refusal rate continues to be criticized in Georgia. The authorities fear that this may be an impediment to the aim of visa free travel (Visa Liberalization Action Plan is being implemented). The issue will need to be given more attention in the next reporting period.

Following the adoption of the decision on the harmonized list of supporting documents, the LSC will have to ensure its proper application.

The LSC will discuss the way information to the public is presented on EU MS Consulates websites.

VIS roll-out planned in Georgia for January 2015 is another issue to be pursued in the next reporting period.

Since the issue of false / counterfeit / forged supporting documents is a big problem in Georgia and is often cited as a reason for high refusal rate, the GEO authorities may need to be involved in solving this issue.

## **5. Other issues** *n/a*

*Drafted by EUDEL*

*Approved by MS in Tbilisi*



## **LOCAL SCHENGEN COOPERATION (LSC) ACCRA, GHANA 2013-2014 REPORT<sup>38</sup>**

### **1. Introduction**

The Danish Embassy was chairing the LSC meetings until 05/06/2014, the chair was transferred to the Italian Embassy. The following MS and LSC Embassies are present in Accra:

Czech Republic (CZ) – represents SK,  
Denmark (DK) – represents FI, IS and SE,  
France (FR) – no longer issues Schengen Visas,  
Germany (DE) – represents EE,  
Italy (IT) – represents MT,  
Netherlands (NL) – represents LU, FR, PL, LT and AT  
Spain (ES) – represents EL, PT and SI,  
Switzerland (CH) – represents BE,  
Norway (NO)  
England(UK)

### **2. LSC meetings held in 2013-2014**

There were no meetings until the second half of the first semester of 2014. 2 meetings were held to prepare the handing over to the Italian Embassy.

The next foreseen meeting will be held most probably in September 2014.

During those meetings the Embassies mainly exchange information regarding visas processing and fraudulent behaviour. They exchange tips and tricks to discover fraudulent applicants and exchange information openly. However, this exchange should be done via the VIS system which was deployed last year. Apparently the missions based in Accra are using VIS to a certain extend due to technical issues. They mainly exchange information via unencrypted email between consulates.

### **3. State of play**

#### **3.1 Application of the Visa Code**

In all meetings participants discuss mainly about technical issues: Visa code implementation, best practices on how to process a visa on travel documents locally, notably to prevent frauds. They also share the latest improvement in forgeries by the Ghanaian applicants.

The slow-moving economy of Ghana and the early 2014 decision by the Bank of Ghana forbidding foreign currency transactions had a negative impact on the import/export activities. This context provoked the relocation of companies in the mining sector and downsizing of their employees. This

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<sup>38</sup> 2014

situation triggered notably the vigilance of the UK high commission which saw an increase of Visa request for England with cases of fake supporting document of those companies.

Unfortunately, this type of information is not shared in VIS, the consular sections still prefer to communicate between each other through unencrypted emails. The main reason to limit the use of VIS remains technical problems when it comes to share comments on the individual applications.

### **3.2. Assessment of the need to harmonise the lists of supporting documents**

The Actual VIS system should be debugged in order to use it with his full operational potential.

### **3.3 Exchange of information**

LSC members are willing to share documents upon request, statistic, reports... see point 3.1

### **3.4 Any other initiative taken in LSC**

None.

## **4. Challenges in 2013-2014**

None reported except the increasing sophistication of forged documents and the repeated fraudulent applications from the same person

## **5. Other issues**

None.



## **COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC)**

### **REPUBLIQUE DE GUINEE**

#### **RAPPORT<sup>39</sup> 2013-2014**

#### **1. Introduction**

Trois Etats membres ont une représentation diplomatique en Guinée : l'Allemagne, l'Espagne et la France.

La Belgique a fermé son bureau visa en date du 31 décembre 2013. Les visas pour la Belgique doivent dorénavant être demandés auprès de l'Ambassade de Belgique à Dakar/Sénégal.

La France représente l'Autriche, l'Italie, la Suède, la Slovaquie, l'Estonie, la Suisse (uniquement les passeports officiels) et ponctuellement la Pologne (sur instructions du Ministère français des affaires étrangères); l'Allemagne représente le Portugal, Malte et la Grèce; l'Espagne n'a pas signé d'accord de représentation avec d'autres États membres.

#### **2. Réunions LSC organisées en 2013-2014**

Réunions LSC trimestrielles en 2013 avec les trois Consuls des Etats membres présents en Guinée, l'agent visa de Belgique et l'UE et récemment le Conseiller Sécurité- Immigration de l'Ambassade de France.

En fonction des besoins exprimés par les participants, des réunions supplémentaires peuvent être organisées.

D'une manière générale, la coopération Schengen entre les Etats membres présents est excellente. Des réunions régulières sont tenues pour échanger les données/statistiques et partager les problèmes les plus fondamentaux afin d'harmoniser les pratiques.

Ponctuellement, les réunions peuvent être élargies aux consuls ou missionnaires des Etats Schengen résidant dans la sous-région en déplacement en Guinée.

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<sup>39</sup> Avril 2013 – Mars 2014



### **3. Etat des lieux**

#### **3.1 Application du Code des Visas**

19 juillet 2013 : suite à la révision du code frontières Schengen par le règlement de l'UE n°610/2013 du 26/06/2013, les ressortissants des pays tiers (soumis ou non à visa) devront être munis des documents de voyage dont la durée de validité est supérieure d'au moins 3 mois à la date à laquelle le demandeur a prévu de quitter l'Espace Schengen, et qui a été délivré depuis moins de 10 ans. Les premiers mois d'application de cette nouvelle directive a permis de refuser l'embarquement à bon nombre de passagers.

Lors de la réunion du 18/09/2013, un bilan de la mise en service du système VIS a été établi : le système VIS s'avère être rapide et efficace, notamment pour détecter les usurpations d'identité. Son efficacité se constate aussi à la diminution de retour d'expulsés guinéens.

#### **3.2 Estimation du besoin d'harmonisation de la liste des documents justificatifs.**

Il a été prévu pour les prochaines réunions Schengen de dresser une liste commune relative aux sociétés proposant des contrats d'assurances-voyage.

##### ***Si les travaux d'harmonisation n'ont pas encore été finalisés:***

L'harmonisation des pratiques semble bien amorcée. Il serait souhaitable de prévoir dans un avenir proche un logiciel commun « Visas » permettant de vérifier les informations relatives aux refus, à l'historique des demandes déjà enregistrées dans les autres postes Schengen et aux signalements des personnes connus défavorablement.

Ce serait également souhaitable d'établir une base de données commune de spécimens de documents publics, signatures des fonctionnaires de l'État civil et des cadres du Ministère des Affaires étrangères local qui légalisent les documents publics. Cela pourrait se faire avec le concours des autorités guinéennes, dans le but d'identifier rapidement les faux documents, ou les fausses signatures.

##### ***Si les travaux d'harmonisation ont été finalisés:***

Les listes des justificatifs requis ont été harmonisées pour les types de séjour les plus usuels.

#### **3.3 Echange d'informations**

Il est prévu d'échanger mensuellement (ou trimestriellement, au besoin) les statistiques des activités visas.

Ponctuellement, les cas de fraudes (usurpations d'identité, fraudes documentaires) ainsi que les refus de visa sont échangés entre les partenaires Schengen.

### **4. Divers**

En décembre 2013, les autorités guinéennes ont mis en circulation de nouveaux passeports ordinaires.

D'ici quelques semaines, les autorités guinéennes vont mettre en circulation de nouveaux passeports biométriques (diplomatiques, de service et ordinaires) après validation des Etats de l'Espace Schengen. Les vérifications techniques sont actuellement en cours auprès des autorités françaises.

Fin mai, toutes les Représentations des Etats Schengen ont reçu des spécimens des nouveaux passeports biométriques.



EUROPEAN UNION

DELEGATION TO INDIA

11 June 2014

## LOCAL SCHENGEN COOPERATION (LSC) in INDIA 2013-2014 REPORT<sup>40</sup>

### 1. Introduction

As of mid-January 2014 all European Union Member States (**EU MS**) were accredited in New Delhi, making India one of the four countries in the world where all EU MS are represented, after US, Russia and China. All Schengen associated countries -except one- were also present. These 25 Schengen partners, [henceforth referred to as Member States (**MS**)] had a robust presence encompassing almost 50 Embassies/High Commissions and Consulates General<sup>41</sup>, in the capital and six other locations<sup>42</sup>, of which only 42 issued visas at the end of the reporting period throughout the sub-continent.

At the end of the reporting period, if compared to the previous one;

- 1) two MS had started issuing visas (16<sup>th</sup> September and 1<sup>st</sup> October 2013 respectively);
- 2) two MS did not issue visas, availing themselves of country-wise representation agreements with MS present locally<sup>43</sup>. One of them terminated its representation agreement at the end of the reporting period (31.03.2014);
- 3) two MS had representations arrangements in one location (Goa), while several MS had modified such arrangements.

Most MS cover several countries in India's immediate neighbourhood<sup>44</sup>, issuing for those nationals Schengen (and/or national) visas, or have representation agreements *in loco*<sup>45</sup>.

The Indian sub-continent has the second widest Schengen external service provider (**ESP**) network in the world, after Russia and before China. Avoiding disproportionate efforts to access visa services remained the main concern of all twenty three MS issuing Schengen visas. Of these, seventeen had so far outsourced visa-related ancillary/non-judgemental tasks. Sixteen to the same ESP, one to a different provider. Six MS received visa applicants directly, but two of them planned to outsource in the next future. Further MS diplomatic and consular network rationalisation<sup>46</sup> coupled with a predictable increase of visa applications and the future introduction of biometric

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<sup>40</sup> April 2013 - March 2014.

<sup>41</sup> These numbers do not include the following missions: Bulgaria, Croatia, Cyprus and Romania; UK and Ireland.

<sup>42</sup> The widest (9 MS) Schengen Consular presence is in Mumbai, followed by: Kolkata (4 MS); Chennai and Bangalore (3 MS); Pondicherry and Goa (1 MS).

<sup>43</sup> The same applied to the unrepresented MS.

<sup>44</sup> Bhutan, Bangladesh, Maldives, Nepal and Sri Lanka. Though in the neighbourhood, the situation related to Burma is not considered here.

<sup>45</sup> By definition representation agreements for Schengen purposes do not include national visas processing, of EU interest in relation to, for instance, students mobility linked with the EU-funded *Erasmus Mundus* programme.

<sup>46</sup> For instance, as of June 2013 the Dutch Consulate General in Mumbai stopped issuing visas. The competences were transferred to the Dutch Embassy in New Delhi.

identifiers (roll-out and full deployment of VIS), which already raises technical and political concerns, are likely to entail a further increase of MS outsourcing.

Besides proximity to applicants, ESPs offered applicant-friendly and differentiated services as well as fast procedures. Several "national" dedicated visa application centres (VACs) were operational, offering information services (through call centres), web-based modules (for appointment scheduling, online payment collection; visa application status check), as well as, in one case, biometrics data capture/transfer, though related to long-stay visas. Most VACs belonging to the same ESP were co-located in the reporting period in "Joint VACs", i.e. the same building in each location, creating, *de facto, ante litteram* Schengen "Common Application Centres". At the end of the reporting period, however, there was still homogeneity in MS's ESP network coverage neither on ESP selection procedure nor on the legal instrument used and its terms and conditions<sup>47</sup>.

In 2013<sup>48</sup> India presented the second highest visa flow, after the Chinese one, if neighbouring countries (Russia, Ukraine, Turkey and Belarus), given their proximity to Europe, are not taken into account. In general terms, it continued to be the six biggest Schengen visa operation in the world, registering a 15% increase in visa applications if compared to 2012. Four MS<sup>49</sup> handled over 60% of Schengen visa applications processed in the sub-continent. The biggest Schengen hub continued to be Mumbai (where 6 MS Consular missions processed over 40% of all short-stay visas), followed by New Delhi (where 24 MS Diplomatic missions processed an equivalent amount) and the other five "peripheral" locations (where 13 Consular missions, from 5 MS, processed less than 15%).

For all the above, India remained a particularly challenging LSC operation, in absolute and relative terms, as external and internal (organisational) pressures, complex local circumstances<sup>50</sup>, the variable geography of the MS and their visas offices prompt reactions to substantial workload increase, were to be constantly factored in.

## 2. LSC meetings held in 2013-2014

LSC meetings, took place in "**Plenary**"<sup>51</sup> as well as in **sub-group (SG)**<sup>52</sup> formation, in New Delhi. Invitations were systematically extended to the two Schengen Associated States present as well as the four Schengen prospective members<sup>53</sup>. In the reporting period, 9 Plenary meetings<sup>54</sup> took place, in parallel with several *ad hoc* meetings in SG formation, according to a roadmap for progressive implementation, drawn by its Chair, the European Union Delegation (henceforth **EUD**). Each Plenary and SG meeting coagulated shared standpoints on common concerns and reached implementable agreements locally. One of the Plenaries hosted a well-received interaction with a DGHOME representative, who updated MS on global LSC and Visa Committee priorities. This

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<sup>47</sup> ESP networks varied from one location (capital city only) to several ones. In terms of selection and legal instruments, some MS launched a world-wide tender, others an India-wide or a "local" one. Some MS signed specific country-wise contracts, others location-wide ones. Some MS also concluded specific arrangements with ESP(s) in neighbouring countries to collect visa applications *in loco* to be processed in India, withdrawing their pre-existing representation agreements.

<sup>48</sup> Schengen visas statistics are available per solar year.

<sup>49</sup> Germany, Switzerland, Italy and France were the largest Schengen visa operations (as the volume each of them they processed ranged between over 103,000 to over 66, 000).

<sup>50</sup> India is a significant source of *bona fide* visa applicants for whom MS facilitative procedures are in place. However, high levels of fraudulent visa applications and illegal migration attempts are also registered, especially in some specific regions of the sub-continent.

<sup>51</sup> Open to all MS representatives.

<sup>52</sup> Only some MS participates. For further details, see *infra* part 3.4.

<sup>53</sup> Bulgaria, Croatia (invited as observer until it became an EU MS on 1<sup>st</sup> July 2013), Cyprus and Romania.

<sup>54</sup> 25 April; 5 and 26 June; 3 July; 12 September; 6 November 2013. 29 January, 5 February and 5 March 2014.

exchange served as a basis for future top-down / bottom-up best practices exchanges aimed at ensuring further communication, coordination and follow-up *in loco*.

The LSC-India became, in the reporting period, a systematic and rationalized cooperation under the coordination of the EUD, which was a constant point of reference for MS and a source of regular updates/information on initiatives on visa and mobility-related issues adopted at Brussels level. The EUD granted constant monitoring, tackling MS concerns and proposing practical ways to move further and relevant follow-ups to the LSC complex and technical exercise, which bears particular political connotations in India. Its pragmatic, result-oriented, *super partes* role was increasingly appreciated by the MS, whose committed attendance, enthusiastic participation and active interaction during both Plenary and SG meetings improved considerably throughout the reporting period, allowing the LSC to further advance quantitatively as well as qualitatively. If compared to the previous reporting period, the number of Plenary meetings almost halved (from 15 to 9), that of single-topic / SG meetings multiplied, reflecting MS strong commitment to advance the harmonisation of local practices at grass-root, bottom-up level. MS considered that by the end of the reporting period the LSC had acquired a comprehensive overview of the problems New Delhi visa sections are daily confronted with. They also deliberated that "*without the EUD to spur the harmonisation exercise, there would be no harmonised application of the Visa Code in India*". EU MS representatives, in particular, judged that the LSC was "*the most effective sectoral EU-coordination exercise carried out by the EUD*". This was a considerable improvement if compared to 2012-13. The LSC-India also provided an example to and shared its "best practice" with other EUDs<sup>55</sup> as well as non-EU missions in India. Its forefront role was recognised in Brussels.<sup>56</sup> If the EUD was, in the reporting period, the LSC Plenary catalyst, the SGs provided a multiplier factor, without which all the outcomes detailed in the following section would have not been achieved. By the end of the reporting period, all MS were strong advocates of the necessity to harmonise practices locally, and then align completely to the harmonised approach endorsed.

As for the EUD role, besides secretarial, ancillary tasks<sup>57</sup>, it convened the Plenary, setting its agenda; hosted and chaired its meetings; collected and disseminated data and relevant information, ahead, during and after the Plenaries<sup>58</sup>; drafted and circulated locally summary reports ("minutes") containing operational conclusions for further follow-up. The draft minutes, sent to the MS with a deadline for comments and amendments, were then approved formally by the subsequent Plenary and served as useful record of various harmonisation resolutions adopted. So far, MS have rarely shared such minutes with their capitals.

In locations outside the capital, local harmonisation was ensured more on an *ad hoc* basis as LSC meetings were held by rotating chairs, according to practical agreements reached locally. Those MS recommended a more structured involvement of the EUD in the harmonisation exercise, requesting that joint MS/EUD meetings outside the capital took place at least once a semester. As this was not possible in the reporting period, in order to promote, concretely, an all-encompassing coverage / information sharing throughout the sub-continent, the EUD adopted a simple, practical, measure. It extended to all MS Consular posts, the Plenary's thriving electronic exchange.

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<sup>55</sup> These requested guidance in devising/rationalising their LSC interactions. Some of them built upon New Delhi experience to exploit all available economies of scale.

<sup>56</sup> The EUD-India representative was selected to share New Delhi "best practices" of this part of intra-EU coordination during the Annual Seminar of Political Officers (and Deputy Heads of Delegation) organised by the EEAS at the end of the reporting period (March 2014).

<sup>57</sup> These crucial activities in the daily management of the group range from sending invitations to the MS, and keeping an update of the contact and attendance lists to organising the logistics of the meetings, supervising the electronic information exchange, etc.

<sup>58</sup> In the context of information exchange it also circulated several practical documents to MS: *i*) Visa Code Handbook Annexes updates; *ii*) mobility-related information (EU reports, press releases, etc.), including relevant Schengen legislation applicable and its updates; *iii*) periodic updates of MS contact lists; statistical tables, list of acronyms, etc.

### 3. State of play

#### 3.1 Application of the Visa Code

MS, assisted by the EUD, focused exclusively on granting uniformity in the concrete application of the Visa Code locally. This enabled the Plenary to comply with all mandatory prescriptions contained in the Visa Code (art. 48) on which agreement could be reached. In their discussions, MS confirmed three major impediments to the uniform implementation of the Visa Code. 1) There is no operational way to harmonise the visa fee expressed in local currency, as MS follow different systems and frequencies to set their exchange rate (in most cases imposed by their capitals). However, the upcoming introduction of biometric data collection could, possibly, entail a future alignment, at least, of the service fee. 2) Practical granting of a grace period linked with the related travel medical insurance coverage proved impracticable. 3) Agreeing on common criteria for (optional) visa fee exemptions related to certain categories of applicants remained an open issue, which would require further harmonisation efforts.

#### 3.2 Assessment of the need to harmonise the lists of supporting documents

This was carried out in the previous reporting period. The draft harmonised list is likely to be adopted in the next reporting period.

#### 3.3 Exchange of information

##### ➤ *Exchange of information within the LSC*

Besides that occurring during the Plenaries (see *infra* "other issues"), the electronic exchange of information became very effective, far reaching and timely, through the use of two LSC distribution lists endorsed, with a specific "mail etiquette/code of conduct", by the Plenary and updated at regular intervals by the EUD. One, restricted, was dedicated to Plenary interactions. The other, more comprehensive, to "visa alerts" exchanges (see *infra* "case of fraud").

##### ➤ *statistics*

In compared to 2012-13, the exchange of monthly visa statistics increased drastically, although some MS still do not send their statistics on a regular basis. Smaller missions, in particular, confirmed their difficulty in providing this information, as it was not easily accessible via their IT visa systems. In addition, substantial structural limitations remained. Several MS cannot share their data regularly as they depend on their capitals to get consolidated statistics. Most MS cannot provide separate statistics for non-EU citizens not residing in India.

The Plenary analysed the 2012 annual Schengen visa statistics relative to India, on the basis of a synoptic table comparing the situation with 2011. It concluded that such global numbers provide useful general information but are of limited use locally, as they cannot detect main trends detailed per short-stay visa purpose. It also highlighted that *a*) MS-wise and location-wise data would be more useful. It is noteworthy that exchange on annual Schengen statistics highlighted *b*) substantial discrepancies between MS central authorities' data (monthly and annual ones) and the ones published in the EU website. As these two issues deserved further attention (also, perhaps at Central Authorities/Statistical offices level), in the second half of the reporting period, the EUD put forward a homogeneous statistics table detailed according to broad categories of purposes both for Schengen (business, tourism, official/mission, etc.) and upon MS' suggestion, for comparison purposes, for national visas (work, study, family reunification, etc.). These two tables, once in use, would prove

more useful than the previous ones still in use, also in order to identify trends locally and predict future ones.

➤ *cases of fraud*

Given the high incidence of false, falsified and forged documents and the linked high risk of illegal migration from India, MS increasingly shared information on specific fraud cases identified in their visa process, both for Schengen and national visas applications. A specific system of alert frauds, in the form of a standardized format for visa alerts/enquiry was set up. The exchange of information in this field became enhanced and operational. In the second half of the reporting period, for instance, over 250 operational mails were exchanged. This led to the adoption of a streamlined electronic information exchange, according to which when asked cross-checks on questionable applications, relevant MS would cooperate and reply promptly only on cases known to them. MS considered this as a remarkable improvement in their daily working methods from the previous reporting period.

➤ *travel medical insurance (TMI) (i.e. insurance companies offering adequate TMI)*

As a follow up to the activity incepted in 2012-13, the relevant SG confirmed that all local insurance companies offered inadequate TMI, after having repeatedly reached out to the Indian private sector and the relevant regulatory body. See section 3.4, topic (1) for further details on the practical result achieved.

➤ *Other issues*

The LSC information exchange increased considerably if compared to 2012-13. It included several substantial topics of MS immediate interest, to streamline which a system of '*tours de tables*' (i.e. synoptic tables) was implemented, whenever a MS suggested a specific point for discussion to the plenary. **For some of the topics discussed MS proposed that a specific SG was set up to assess common concerns. This led to specific initiatives, as detailed *infra*, section 3.4.**

In addition to the exchanges detailed in the sections above, the Plenary took note or discussed and assessed the following topics: **I)** exhaustive list of Indian (and Bhutanese) travel documents, including a debriefing on a specific outreach to Indian Authorities; **II)** diplomatic and service passport holder visa application processing; **III)** external service providers and their network coverage; **IV)** *Erasmus Mundus* visa applications from neighbouring countries; **V)** multiple entry visas local practice; **VI)** criteria for the implementation of optional visa fee exemptions (on which, as mentioned, MS agreed to disagree), as well as update of information sharing on visa and service fees in local currency; **VII)** difficulties encountered with the new rules for calculating short stays and duration of ninety days in any six month period; **VIII)** local implications of the study on economic impact of short stay visa facilitation on the tourism industry and the overall economies of the EU MS part of the Schengen area; **IX)** "Nordic" list of accredited travel agents; **X)** Indian "electronic travel authorisations"; **XI)** "non official" supporting documents checking/ tacking; **XII)** applicants' "accompanying staff" (maid, nurses, nannies, etc.); **XIII)** local authorities request for bank statement and flight booking as mandatory supporting documents for EU visa applicants; **XIV)** TMI for service passport holders; **XV)** UK visa bonds, further to a specific outreach made by the EUD; **XV)** several monitoring and follow up, like, for instance on the visa application form hindi translation, etc.

### 3.4 Any other initiative taken in LSC

Given the complexities of the harmonisation challenge in India, and its inherent political sensitiveness, this "collective task" was carried out, as mentioned, through several temporary LSC sub-groups (SG) each dedicated to a specific operational issue related to the harmonised application

of the EU common visa policy. The SG were set up, on an *ad hoc* basis, at EUD/MS suggestion pursuing to first information exchanges held in the Plenary (see section 3.3, "*other issues*"). Building upon the successful experiment of 2012-13 and a standard operating procedure adopted then, each SG was composed by interested MS and chaired by a volunteering "*Chef de file*". The SG served, *prima facie*, as platform for more in-depth information exchange among like-minded countries. The latter, starting from their own mission's procedures, assessed a particular issue, shared their findings on several operational harmonisation options, reporting them to the Plenary with a structured suggestion for a locally agreed harmonised approach -when applicable- to be endorsed. This innovative working method, which moved the LSC from a centralised to a decentralised interaction system, proved extremely effective in terms of joint team work, strengthening the "*esprit de corps*" among LSC Consuls in Delhi. Moreover, the achievements of the first SGs attracted more MS to engage and deliver tangible outcomes, further increasing the proactive, result-oriented approach which by the end of the reporting period characterised the LSC-India.

All SGs worked according to the priorities set by the Plenary, the availability of the participating MS and the personal drive of its *Chef de file*. Some SGs organised meetings to boost cooperation, others worked mainly by electronic exchanges. After an average period of six months from their inception, the Plenary assessed the functioning of the relevant SG and set its next priorities for action. Unless otherwise agreed, once reached its primary goal, a specific SG would be dissolved.

There were several **tasks completed by the SGs and implemented by all MS** at the end of the reporting period. The most valuable one was the endorsement of **(1) the "*Schengen States Consular Posts' approved list of Indian Travel Insurance Companies providing travel medical insurance for Schengen Visa procedure*"** i.e. a comprehensive bona fide list of insurance companies offering adequate TMI, i.e. corresponding to the requirements of the Visa Code and based on a strict compliance table, whose criteria were set up by the SG. **(2)** A specific compendium (handbook/user guide) was also drawn up, while **(3)** the insurance companies developed at LSC request a web-based tool to enable visa officers to check TMI policies online. This decreased dramatically the time necessary for MS visa officers to perform such task. Apart its technical significance, given its unprecedented local (and global)<sup>59</sup> political value, the LSC brought this achievement to the attention of the EU Heads of Missions during one of their apex intra-EU coordination meetings. Upon completion of the TMI *bona fide* list, an immediate follow up initiative was adopted: **(4)** a hands-on, interactive training on the implementation of the new regime for over 25 selected LSC visa officers (including those from Schengen "candidate countries"), which received enthusiastic MS appreciation. MS requested the EUD to organise a biannual training for MS visa officers, on a regular basis.

In parallel, the following concrete outcomes were achieved. **(5)** Adoption of a common information sheet, available in all MS and respective ESPs website, which improved drastically the consistency of information provided to Schengen visa applicants. **(6)** LSC-India contribution for the Visa Code Regulation revision. **(7)** Implementation of a common template for immediate visa alerts or visa enquiries; **(8)** Synoptic table on visa coverage/representation in neighbouring Countries, containing information beyond Visa Code Handbook Annex 28. **(9)** Harmonised *modus operandi* on handwritten correction of personal data in Indian passports; **(10)** Aggregated survey on diplomatic and service visa waivers in force and under negotiations containing information beyond Visa Code Handbook Annex 5; **(11)** (selected) MS survey on visas and residence permits granted to Indian diplomatic and non-diplomatic passport holders. All these were achieved in addition to several **(12)** routine updates, in particular that of the first ever 360 degree LSC survey prepared in 2012.

<sup>59</sup> It is the first -ever- approved by any LSC operation in the world and it has literally impacted on the TMI market in India.



Other SGs focused on the assessment of a harmonised approach on other priority areas, which would require further efforts in the future, and which constitute -per se- the priority areas for the LSC-India in the next reporting period. Such "ongoing" initiatives encompass (in brackets the state of the SG proceedings at the end of the reporting period): (i) "best practices" sharing on facilitations practices related to first track/VIP/bona fide applicants, especially for business and tourism purposes (first synoptic assessment drafted); (ii) cahier de doléances, i.e. a collection of MS economic operators but also tourists, students, professors, journalists about the most common hindrances encountered while applying for visas at the relevant Indian missions (first draft submitted. Contacts with European operators started); (iii) Tibetans visa applications (preliminary assessment made and *ad hoc* study mission in the pipeline); (iv) commercial intermediaries, including travel agencies and travel facilitators<sup>60</sup> (first assessment completed. Way ahead to be agreed upon by the Plenary).

#### 4. Challenges in 2014-15

1. All challenges listed in the 2012-13 report were addressed in 2013-2014 and showed sensible developments, which led to concrete harmonisation, as detailed above.

2. The main 2014-2015 systemic challenges for the LSC-India are likely to be *a)* biometric data collection, both in terms of technical implementation as well as communication. Before the new VIS system is rolled out, its stringent requirements shall be explained locally (with outreach activities, in particular to the press) in order to avoid potential misperceptions and reactions; *b)* a predictable further increase in the number of visa applications per MS.

Besides the subjects to be addressed upon specific instructions / decisions by the Visa Committee, the **main priorities** on which the **LSC-India interactions** shall focus in the upcoming period are:

(1) first and foremost the **finalisation of the harmonisation exercise on ongoing activities** currently examined by the various SGs as listed in section 3.4.

(2) specific action will aim to **achieve** the following **concrete deliverables**: (a) adoption the LSC 2012-2014 decisions "compendium"; (b) effective exchange of monthly visa statistics (Schengen and national) detailed by purpose, as well as a synoptic table of annual statistics (2011-2013) MS-wise and consular location-wise; (c) further promotion, on a reciprocal basis, of legitimate short-stay travellers (in particular for business and tourism purposes. For the latter, it would be explored whether appropriate conditions are met, locally, to engage in exchange of reciprocal information and engage in discussion, in the framework of the High Level Dialogue on Migration and Mobility, drawing inspiration, from the EU side on the EU-China arrangement on Approved Destination Status); (d) re-assess the need to agree on harmonised criteria for examining applications in relation to visa fee exemptions.

(3) On a more **structural level**, several other **initiatives** shall be **carried out or pro-actively encouraged** (or simply explored), including: **1.** actual coordination by the EUD in locations outside the capital, similarly to what happens in comparable Schengen operations (Russia and China, in particular); **2.** series of *ad hoc* outreach activities to representatives of the consulates of EU MS not applying the Community *acquis* and like-minded third countries as well as local authorities, taking into account that the LSC-India has become, by now, a point of reference locally and globally; **3.** exchange of visa officers among MS on a bilateral basis, to enhance cooperation/best practices sharing; **4.** specific local hands-on trainings; **5.** discussion on common challenges with LSCs of similar magnitude or those in the region. For the latter, the idea of organising a regional seminar shall be explored. **6.** As for information exchange, further attention shall be devoted to *a)* external

<sup>60</sup> Currently "travel (and "students placing") agents" activities are largely unregulated in practice and are reported to be involved in the majority of migration abuse, fraud and smuggling cases.

service providers and **b)** transport companies, while **c)** an assessment on the use of CIRCABC LSC-India database (given the human resources investment it entails) and/or on that of the pro-active timely electronic exchange currently in use to further streamline EUD and visa offices working methods **d)** the possible translation, with the collaboration of local Universities, of the visa application form in the other official language(s) of India, to be used in locations outside the capital.

Carrying out the diversified tasks mentioned above, meeting MS expectations, proactively and in all their political implication at the 2012-13 level, will mainly depend, also in 2014-15 on the availability of human resources within the EUD<sup>61</sup> to be devoted to the LSC *dossier*.

## 5. Other issues

For its implications and impact on the smooth functioning of the LSC-India, it is to be mentioned that in the reporting period, another EU MS working group, the Local Migration Group (**LMG**) chaired by the EUD also took place regularly. During the LMG meetings, EU MS addressed long-stay visas issues, granting a continuous follow-up to EU-India High Level Dialogue on Migration and Mobility, in its "migration" chapter, while the LSC group contributed to "mobility" one. The sheer existence of such parallel intra-EU coordination platform proved particularly beneficial for LSC interactions, as they remained focused exclusively on local Schengen harmonisation, while MS channelled and exchanged information on migration trends, patterns and challenges (also foreseen in the Visa Code) in another venue.

In continuity with the previous reporting period, in 2013-14 MS were constantly informed on EU-funded projects carried out in India, under the thematic programme of development cooperation in the areas of Migration & Asylum. In June 2013 MS participated in a Workshop on "*Student Mobility and Knowledge-based Economies: Opportunities and Challenges for India and the EU*", while in October they took part in the Final Conference "*India-EU Migration and Mobility: Prospects and Challenges*", both organised by the India Centre for Migration (ICM), under the auspices of the EUD, in the framework of the EU-funded project "Developing a Knowledgebase for Policy Making on India-EU Migration". These events highlighted the importance both parts place on their wish/will to further facilitate legitimate travellers on a reciprocal basis.

Furthermore, a Draft Joint Declaration on a bilateral "Common Agenda on Migration and Mobility", was submitted to the Indian authorities in April 2013. It should be noted that this was the first of its kind. Following this development, MS contributed inputs to further assess the short-stay visa situation in India providing food for thought to the "mobility" leg of the EU-India High Level Dialogue on Migration and Mobility, particularly focusing, on one hand, on the widespread use of false, counterfeit or forged documents and, on the other, on the need to increase the focus on mobility issues and on a reciprocal treatment in all bilateral interactions.

Moreover, the LSC-New Delhi provided, both at EUD and MS level, expertise to the consultancy firm in charge of the "India" chapter of the impact assessment study (commissioned in view of EU visa policy revision), which thus resulted accurate and rigorous. The firm conveyed its appreciation for this assistance.

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<sup>61</sup> Currently only an EEAS staff works part-time on LSC, covering its technical and political facets and, mainly, its day-to-day implementation. With increasing expectations and a more substantive roadmap for LSC implementation, a lack of further engagement of human resources could tantamount to an additional systemic challenge for the LSC-India in the next reporting period.

*This report was prepared by the EUD in New Delhi and approved by the LSC New Delhi Plenary on 11 June 2014.*



EUROPEAN UNION

DELEGATION TO INDONESIA, BRUNEI DARUSSALAM AND ASEAN

25/04/2014

## **LOCAL SCHENGEN COOPERATION (LSC) IN INDONESIA 2013-2014 REPORT<sup>62</sup>**

### **1. Introduction**

In Indonesia 20 EU Member States are represented and 18 Schengen Member States. Several Member States use external service providers for collecting applications. Under a global reciprocal arrangement, one Member State issues visas on behalf of another Member State which is also represented locally. These arrangements have not changed since last year.

### **2. LSC meetings held in 2013-2014**

Five LSC meetings were held during the year to coincide with meetings of Consular Counsellors. They were chaired by the EU Delegation and well attended by Member States. Reports were drawn up by the Delegation and shared with DG HOME and Member State Embassies, who shared them with their capitals. The Delegation did not co-ordinate directly on matters related to LSC outside Jakarta, which were ensured by the Member States concerned themselves.

### **3. State of play**

#### **3.1 Application of the Visa Code**

Member States and the EU Delegation worked well together on fulfilling the Visa Code requirements. The Deputy Head of the Delegation took responsibility for LSC, supported on ad hoc enquiries by DG HOME. He was also supported in preparing statistics, agendas and reports by trainees within the Delegation.

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

A harmonised list of supporting documents to be submitted by applicants in Indonesia was agreed by the Visa Committee in August 2011. This list is applied by Member States in Indonesia.

#### **3.3 Exchange of information**

The EU Delegation and Member States exchanged information on statistics for issuing and refusing Schengen visas in their LSC meetings. They used these meetings to discuss trends, anomalies and

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<sup>62</sup> April 2013 – March 2014

any implications. While there were differences between the rates of refusal for different Member States, it was felt that this was a result of seasonal and local factors, and not evidence of different standards being applied.

The meetings were also used to exchange information on cases of possible fraud or visa shopping and on commonly shared issues, e.g. implementation of bilateral visa waivers for holder of diplomatic and service passports. The meetings were also used to coordinate publicity on the introduction of VIS. Despite concerns that this would create problems with VIP visitors from Indonesia, in practice the transition seems to have gone smoothly and no concerns have been raised at senior level.

The Delegation maintains a list of bona fide insurance companies, agreed with Member States, which offer adequate travel medical insurance in accordance with the Visa Code.

The Delegation also maintains a list of travel agents which Member States frequently deal with and which are felt to comply with the requirements of the Visa Code. In addition, Member States use LSC meetings and the local LSC email distribution list to exchange information on travel agencies which abuse Schengen processes.

### **3.4 Any other initiative taken in LSC**

None.

## **4. Challenges**

With the Delegation reducing its staffing and tasks increasing, staff capacity to carry out LSC effectively is coming under increasing pressure.

## **5. Other issues**

A number of Member States already have, or are negotiating, bilateral arrangements with Indonesia on visa exemptions for holders of diplomatic and official passports. Political pressure is rising from the Indonesian Government to engage in a dialogue on visa and migration issues with the EU. Ultimately Indonesia would like exemption from the requirement for short-term visas for its nationals.

This report was approved by Member States at the Local Schengen Coordination meeting held in the EU Delegation in Jakarta on 24 April 2014.



**EUROPEAN UNION**  
DELEGATION TO THE HASHEMITE KINGDOM OF JORDAN

7/4 2014

# LOCAL SCHENGEN COOPERATION (LSC) IN THE HASHEMITE KINGDOM OF JORDAN

## 2013-2014 REPORT<sup>63</sup>

### 1. Introduction

**14 Schengen Member States** have consulates in Amman and issue visas (AT, BE, CZ, FR, DE, EL, HU, IT, NL, NO, PL, ES, SE, CH). There are several non-represented countries (EE, DK, FI, IS, LV, LU, MT, PT, SL, SK) that are represented by another Schengen country. Those countries which are not represented in Amman have their nearest consulates in Cairo (MT, IS, LV, LT, PT, SI), Ankara (EE, FI) and Beirut (SK, DK).

As a result of the Syrian crisis and the subsequent closure of embassies in Damascus, most Schengen embassies in Amman are authorised to receive applications from **Syrian nationals**. However, the majority of Syrians apply in Beirut, whereas the consulates in Amman receive lower numbers of applications. In the case of SE, all Syrian nationals need to apply in Amman. Some countries have no restrictions on where Syrians should apply (FR), where others have authorised Beirut and Amman to receive the applications (PL, NL, AT, IT, CH, BE, HU, CZ, ES, EL), with the majority being processed in Beirut. DE receives visa applications from Syrians both in Ankara, Beirut and Amman.

There are several MS that are not represented in Iraq and these only issue visas for **Iraqi nationals** at their embassies in Amman.

Three countries have outsourced collection of applications to an **external service provider** (VFS), those being ES since 01/01/2012, IT since 01/08/2012 and EL since 15/02/2013. VFS applies an administrative fee on top of the visa fee. An appointment system is in place for those applicants that prefer to apply for the visa at the embassy in question. SE is preparing a process of outsourcing collection of applications.

### 2. LSC meetings held in 2013-2014

Six regular LSC meetings took place in the period of April 2013 – March 2014. All meetings were generally well attended by Schengen Members. The meetings were chaired by the EUD throughout the reporting period, who also drew up summary reports (EUD reports) from the meetings. The reports were shared with the LSC before further circulation. LSC members share the reports with their capitals.

In July 2013 an ad-hoc meeting was arranged for LSC, consuls and police liaison officers to debrief the group about the second expert mission within the EU-Jordan Dialogue on Migration, Mobility and Security. If a Mobility Partnership between Jordan, the EU and its Member States is signed, it is foreseen to include negotiations on a Readmission Agreement with provisions on third country nationals as well as negotiations on a Visa Facilitation Agreement.

### 3. State of play

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<sup>63</sup> April 2013 – March 2014

### **3.1 Application of the Visa Code**

In April 2013, the LSC had a discussion about the challenges faced under the Visa Code. Several Schengen members mentioned that a main problem in the current Visa Code was how it was interpreted differently by Schengen members, also in discussions in Brussels, and therefore implemented differently by Schengen members. An issue that was highlighted was different interpretations among MS on when to exempt people from fingerprinting due to unclear definition of scope in the Visa Code and hence different instructions from capitals.

It was also mentioned that in the revision of the Visa Code it could be considered to harmonize procedures concerning diplomatic passports instead of the current situation, where MS sat up bilateral agreements.

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

The Commission Implementing Decision on the list of supporting documents in Jordan entered into force on 26 March 2013. The list is applicable to all Schengen Member States.

In September 2013, six months after the adoption of the Implementing Decision, EUD asked for the experiences of the LSC. There was general agreement in the LSC that the adoption of the list had not had any significant impact on the visa cooperation. LSC was experiencing the same degree of incomplete applications as before the adoption of the list. LSC highlighted that a typical document lacking along applications were updated bank statements (updated), but also basic documentation such as reservations for plane tickets or accommodation. It is noted that the LSC especially faces challenges with supporting (falsified) documents from the cities of Irbid and Zarqa. To try to address the issue of falsified documents, some MS request applicants to provide the original documents along applications instead of copies.

### **3.3 Exchange of information**

#### **Statistics**

The data for LSC visa statistics across all categories showed that the LSC experienced a 9 percent increase in the number of applications received in 2013 compared to the previous year (from a total of 42698 in 2012 to 46487 in 2013). However, while some Schengen members processed similar levels of visa applications, others experienced a significant increase (Sweden 39 percent, Belgium 23 percent, Germany 21 percent, Greece 20 percent, and Norway 16 percent). Hungary experienced an 85 percent increase from 2012-2013, but this increase was due to a 2012 bankruptcy in the national airline carrier which impacted the possibility of mobility to Hungary in that year.

In terms of Schengen C visas, Germany received the highest level of applications (8780), followed by France (6354) and Spain (5164). A total of 41379 Schengen C visa applications were received with 35081 visas issued and 4727 applications refused (an average approval rate of 85 percent and average refusal rate of 11 percent - down from 11.6 percent in 2012). Sweden (48 percent) and Norway (35 percent) accounted for the highest levels of refusals. Among all Schengen Members three similar reasons for refusing the issuance of visas persisted: Lack of proof of financial means, uncertain return, falsified and/or lack of required supporting documents. However, the number of Schengen C visas being issued continued to be on an increase (2011: 32510, 2012: 34966, 2013: 35081).

Visas issued for Iraqi nationals made up 4614 (or 11.6 percent) of the total amount of visas issued, whereas visas for Syrian nationals made up 1920 (or 5 percent). Issuing visas for Syrian nationals

had however various degrees of impact among Schengen members, from making up minor percentage of total visas issued (0-1 percent) to considerable percentage (Sweden: 13 percent, Germany 9 percent).

Some Schengen members, notably Germany and Sweden, experienced a considerable impact of the Syrian crisis on the workload of the embassies, primarily due to national decisions of resettling Syrian nationals to their national territory. For SE, a government decision of granting permanent residency to all Syrian refugees (7000) already in Sweden on a temporary residency implied a possibility of family reunification, which generated considerable work for the embassies/consulates in Amman, Ankara and Istanbul. For DE, a decision of the German government to grant temporary two-year stay to Syrian refugees (two programmes of 5000 and 7000 individuals) implied that visas for these would need to be issued in Amman and Beirut. The processing had a great impact on the workload of the embassy with waiting periods of up to six weeks for having a Schengen visa issued. Other Schengen members (CH, HU) were also affected by national decisions related to the Syrian crisis, though to a minor extent. In the case of FR, all FR embassies are required to receive and process asylum applications. Since the start of the Syrian crisis, this had generated approximately 7000 asylum requests from Syrian nationals that naturally have also impacted the workload.

### **Cases of fraud**

Schengen members continued to exchange information about "facilitators" (e.g. travel agencies producing fake hotel reservations for people intending to perform irregular migration or providing unwarranted services to visa applicants under the pretext of being an element in the visa application process). This aspect has generally been under increased focus of MS.

### **Medical insurance companies**

In 2012, the LSC abandoned the practice of having a common list of MICs. Schengen members agreed to circulate information, if new and not already known MICs were being referred to more often in visa applications and/or if information about traditional companies should be known (e.g. in case of bankruptcy).

## **3.4 Any other initiative taken in LSC**

*Nothing to report*

## **4. Challenges**

The LSC continues to face the same challenges in terms of enhancing the mentality of the visa applicant that could lead to further drops in the average refusal rate of Schengen applications. Outlining a joint document of FAQ/"Remember when applying" that all Schengen members could make available on their websites, communicate via social media and refer the applicants to in the process of booking interviews, could possibly be undertaken.

## **5. Other issues**

*Nothing to report*



*This report has been approved by the Local Schengen Cooperation.*



EUROPEAN UNION  
DELEGATION TO THE REPUBLIC OF KAZAKHSTAN

CONSULAR AFFAIRS

28/05/2014

## **LOCAL SCHENGEN COOPERATION (LSC) KAZAKHSTAN 2013-2014 REPORT<sup>64</sup>**

### **1. Introduction**

The Republic of Kazakhstan hosts MS<sup>65</sup> representations in two cities. Twenty one MS have embassies in the capital Astana and there are five consulates in Almaty, the former capital. The EU Delegation is located in Astana and is in charge of coordinating the LSC meetings. A number of MS in Kazakhstan have representation arrangements and use external providers for collection and processing of visa applications.

### **2. LSC meetings held in 2013-2014**

In Astana the LSC meetings are held regularly every two month, except in July/August. In 2014 the meetings were held on a monthly basis. Meetings took place on the following dates: 21 May 2013, 19 June 2013, 18 September 2013, 22 October 2013, 18 December 2013, 16 January 2014, 5 March 2014, 28 April 2014 and 27 May 2014. The LSC meetings are organised and chaired by the EU Delegation in Astana. The EU Delegation is also in charge of reporting and coordination of the follow-up steps when needed. In case they wish so, MS share the EU Delegation reports with their capitals. A telephone linkup is organised with a designated consulate in Almaty and representatives in Brussels to allow participation in the meetings of all consulates and DG HOME at HQ.

The meetings were well attended by MS and nearly all MS attended either in Astana or/and Almaty. Attendance at the LSC meetings has slightly increased last year compared to 2012-2013. One ad hoc meeting was organised on the VIS implementation. No special meetings were organised with non-Schengen MS. Bulgaria and Romania are invited to and participate in the LSC meetings on a regular basis. Sub groups hold meetings in parallel to discuss particular issues such as Travel Medical Insurance (TMI) and harmonisation of the visa procedures as well as proposals for Visa Code amendments.

### **3. State of play**

#### **3.1 Application of the Visa Code**

MS were well coordinated amongst themselves to carry out LSC tasks under the Visa Code. After each meeting on the LSC, a draft report was elaborated and brought to the attention of each MS.

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<sup>64</sup> April 2013 – May 2014

<sup>65</sup> Schengen Member States (with Bulgaria and Romania as observers)

Precise formulations were found to a number of issues thanks to the constructive cooperation among MS.

In the course of the review of the Visa Code implementation the local LSC group in Astana set up an ad hoc working group that elaborated and submitted 5 proposals for the improvement of the Visa Code. These were brought to the attention of DG HOME at HQ. On the internet feedback line there was only one comment from Kazakhstani citizens.

### **3.2 Introduction of the Visa Information System (VIS)**

The period under scrutiny was marked by an important new element in the visa regime implementation arising from the introduction of the VIS requirements from 14 November 2013. In spite of the numerous challenges, arising from the spacial and climatic characteristics of Kazakhstan, the introduction of the VIS went smoothly without causing specific complaints from visa applicants. To facilitate the process, on the basis of DG HOME approved template, the LSC group prepared an information Note Verbale delivered to the MFA in a timely manner. The LSC group offered assistance to the Kazakh authorities on an informational campaign. DE hold a special press conference on 7 November 2013 in the presence of other EU MS and the EU Delegation, alongside with a demonstration of the VIS functioning.

The overall statistics indicate that the VIS did not influence negatively the volume of the Schengen visa applications. In some cases a sharp increase of applications has been registered.

At the same time it is noteworthy that the MFA suggested by a NV the possibility of enlargement of the list of officials exempted from biometrics requirement. The NV was answered by EU Delegation stating the impossibility from the Visa Code.

### **3.3 Exchange of information**

The period covered by the report was characterised by the introduction of a new Kazakhstani legislation governing the country's visa regime.

Acting in accordance with the request of the LSC MS, the EU Delegation organised two information sharing meetings with Deputy Director Karim Kozhamberdiyev – on 18 September 2013 and on 16 January 2014, respectively.

According to the new rules, Kazakhstan issues two kinds of visa: immigrant and non-immigrant ones. Tourists travelling to Kazakhstan can receive single, double or triple entry visas valid for up to 90 days which allow staying in the country up to 30 days after each entry. People arriving in Kazakhstan for business purposes will be able to get a special visa with a 1-year validity period. Foreigners engaged in investment activities in Kazakhstan will receive single investor visas valid for up to 90 days or multiple investor visas valid for up to three years, following the request from Kazakhstan's authorized body responsible for investments matters. A simplified procedure of obtaining Kazakhstan's visas for citizens of 48 developed countries who need no invitation to obtain short-term visas is also stipulated by the new rules.

### **3.4 Monitoring of the registration regime**

In parallel to the new visa regime the Kazakh authorities had to introduce changes into the registration regulations to which foreigners are subjected, including citizens of the LSC states. As per request by the MS, the EU Delegation organised a meeting with Mr Sainov, Head of Migration

Police Department, on 28 April 2014. The main features of the registration facilitation he presented included the double stamp rule by means of which the border control services mark the entry of any EU citizens, by land or by air. Hotels will be entitled to provide assistance in registration, should it be required by visiting foreigners. The migration authorities will be granted the right to amend the type and the duration of the visa inside Kazakhstan.

Despite of the claimed improvements in the treatment of visa overstayers, the issues of administrative sanctions against them persisted even in force major circumstances.

Working with MS the EU Delegation addressed the issue on numerous occasions and contributed to the relative improvement of the situation. The new Administrative Code is presumably to settle the most acute problems of visa overstayers.

### **3.5 Business visas**

In the period under scrutiny the business visa related issues in relation to investment climate acquired particular importance.

In November 2013 the EUROBAK business association organised a meeting with FM Idrissov, at which companies complained about effects of current visa regime in relation to investment climate. EUROBAK presented a number of questions prepared by companies which provide services to foreign investors on personnel issues. Subsequently, at a meeting organised by MFA on 29 November 2013 Mr Karim Kozhamberdiyev, Deputy Director, Consular Department MFA, described changes to the regime, notably that special "investors visas" are to be issued (without charge) on the recommendation of the Committee on Investments, MINT, with validity of one year.

EU Delegation kept the LSC group and the HQ informed of these developments.

### **3.6 Information sharing**

In view of fostering the information sharing among MS, the LSC group prolonged the work of the working group on TMI and established a working group on harmonisation on visa procedures. Most of the Schengen/EU MS are taking part in the WGs. Several harmonisation steps have been accomplished along accepted requirements on Harmonised list of supporting documents and a list of acceptable TMI was prepared and circulated. The main stages of the visa process have been thoroughly supervised to find the optimal harmonised procedures fulfilling the legal requirements set by the Visa Code and adjusting them to the local conditions in Kazakhstan. The discussed topics by the working group on harmonisation included the practical applications of the biometrics requirement in the visa process, the new Schengen calculator, the 15 days period of grace, the visa fees, the handling of diplomatic and service passports, the VLTV etc.

The main problems arise from the lack of sufficient discipline of the visa applicants and the introduction of the biometrics data gathering into the visa process that slows down the application process.

### **3.7 Any other initiative taken in LSC**

The list of MS representations and representation agreements is regularly updated and circulated at local level.

As agreed amongst MS, since July 2012, a table of visa statistics is sent by EU Delegation to MS in Astana and Almaty and Brussels every month on the basis of information provided by Embassies to the EU Delegation. Further improvement is needed with regard to the regularity and frequency of submission of visa data by some MS.

Most Schengen member states have been approached by Diplomatic service of KZ (UPDK) with query of accreditation as an commercial intermediate for submitting Schengen visa applications on behalf of the applicants (without personal appearance). As UPDK is not able to fulfil all legal requirements set by Article 47 of the Visa Code, the position on the request by all MS was negative.

EU Delegation disseminated amongst EU MS information related to consular matters published in local press.

## **4. Challenges in 2013-2014**

In 2013-2014 the main challenges before the LSC group were connected with the introduction of VIS and the related workload and the installation of equipment at the consular services.

Another source of challenge in the work of the consular offices was related to the continuous evolution of the Kazakhstan visa regime and the associated registration procedure. The implementation of these re-defined regulations was characterised by discrepancies and various practices. In all likelihood further careful monitoring on the processes will be needed on behalf of the LSC group, and if needed formal interventions coordinated by the EU Delegation are to undertaken.

The immediate future may have some challenges in store for the LSC group, in particular, in view of the possible migration influx, influenced by the situation in and around Afghanistan.

## **5. Other issues**

The visa issues remained central in the EU-Kazakhstan relations. The Kazakh side raised the request for visa facilitation agreement at the highest level: during the meeting between the Presidents Nazarbayev and Barroso in Davos in February 2014; in the telephone conversation between President Barroso and the new Prime Minister Massimov in April 2014, during the meetings between Foreign Minister Idrissov and Director Gunnar Wiegand in May 2014.

The Kazakhstan's position is persistent and a part of a concerted continuous campaign. On 23 September 2013 the First Deputy FM Rapol Zhoshybayev raised before the EU MS Ambassadors and Consuls the request of KZ for visa simplification treatment of its citizens, singling out the following arguments: reciprocity (Kazakhstan has simplified the procedure for 48 countries including all the EU member states), the absence of immigration risks from KZ, the existence of bilateral arrangements with most of the EU MS (on diplomatic passports – 23 plus 5 more planned for 2014), the rising necessity for business travel in relation to EXPO-2017, the improved KZ travel documents, and the recent agreements on five year multiple entry visas with the US, as well for fast track business visas with the UK.

Under these circumstances, the Kazakh side adopted a focused position during the IV, V and VI rounds of the negotiations over the new enhanced EU-Kazakhstan PCA. This position includes parallel approach towards possible agreement on readmission and possible start of the screening procedure for visa facilitation agreement. The EU Delegation informed regularly the LSC MS about the visa regime related exchanges in the negotiation process. In turn EU MS had the possibility to observe the IV and VI rounds of negotiations on the relevant titles of the PCA held in Astana.

*The report was adopted by the MS at the LSC meeting on 27 May 2014.*



**EUROPEAN UNION**

DELEGATION OF THE EUROPEAN UNION TO THE REPUBLIC OF  
KENYA

26/05/2014

## **LOCAL SCHENGEN COOPERATION (LSC) NAIROBI 2013-2014 REPORT**

### **1. Introduction**

There are currently seventeen (17) Schengen Member States consulates issuing Schengen Visas in Nairobi.

These are: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Netherlands, Norway, Poland, Romania, Slovakia, Spain, Sweden and Switzerland.

The EU Delegation assumes with the rotating Presidency (Ireland for the first semester 2013 and Lithuania for the second semester – non represented in Nairobi) the role of convening and chairing plenary LSC meetings on a monthly basis.

Some of the representations (Denmark, Sweden, Norway, Spain, Italy and United Kingdom) use the services of Visa Facility Service (VFS).

The year 2013 in Kenya was characterized by difficult security situations with the Elections from in March 2013, the fire at the Jomo Kenyatta International Airport in August 2013 and the Westgate attack in September 2013.

### **2. LSC meetings held in 2013-2014**

As mentioned above, the EU Delegation chairs the meetings, which are held at the EU Del or, more recently at the EU/Schengen embassies. Attendance is moderate with some MS being more supportive than others. Minutes are taken by the EU Delegation and shared with all Schengen Area States present in Nairobi. In 2013-2014, ten (10) meetings were held. One co-ordination meeting was organized in Mombasa with the Honorary EU MS Consuls; all visa issuing representations are based in Nairobi.

Most MS seem to share the common reports with their Headquarters.

### **3. State of play**

#### **3.1 Application of the Visa Code**

EU Del had received instructions from HQ in good time and appointed HoA to ensure coordination and follow up. MS had also been informed and co-operated fully with EU Del.

It also to be mentioned the developing implementation of VIS II by and more and more MS.

NO and ES inaugurated their new VFS on 8<sup>th</sup> November 2013 and DK on 4<sup>th</sup> April 2014. In the case of ES, the outsourcing took place already in May 2013.

### **3.2 Assessment of the need to harmonize the lists of supporting documents**

Work on harmonizing supporting documents has been finalized and the results have recently submitted to HQ for presentation at the Visa Committee in Brussels at the end of May 2012.

The comments from the Central Visa Committee have been received. However, due to the difficult security situation prevailing in Nairobi in 2013 as described above, MS and EU Del had to focus on security issues.

Consequently, work on harmonizing supporting documents restarted at the end of 2013. A revised version was proposed to the Central Visa Committee in February 2014. The comments were received in March 2014. They were revised during a meeting in beginning of May 2014. A revised proposal would be ready in June 2014.

A common information sheet has been produced. It is available on the EU Del website at the following URL:

[http://eeas.europa.eu/delegations/kenya/eu\\_travel/visa/index\\_en.htm](http://eeas.europa.eu/delegations/kenya/eu_travel/visa/index_en.htm).

### **3.3. Exchange of information**

Since March 2011, MS share monthly statistics and communicate them to EU Del, which started in the beginning 2013 to compile them for presentation to MS. After the first presentation, it was agreed to discuss the statistics every semester.

In addition, MS inform regularly one another on persons to be black listed (based on the fact of fraudulent acts of submitting fraudulent/forged documents).

Also, EU Del participate to Immigration Liaison Kenya (ILK) coordination meetings (twice a year) organized with other countries like USA, Canada, Japan, Turkey, etc..., where this kind of information is exchanged. EUDel shares information with ILK participants and reports new information to MS.

Regarding local Travel Health Insurance companies, an accredited list of suitable companies have been established in January 2012 and is maintained up-to-date every month in co-operation with the MS. The current list is published on the Delegation website and the MS websites.

EU Del and MS had also two meetings in 2013 with European Airlines to share information about visa procedures and regulations, the difficulties encountered by the airlines and how to coordinate better in order to solve them.

### **3.6 Any other initiative taken in LSC**

MS with EUDel established a Common list of Government Members regarding biometrics registration exemption.



#### **4. Challenges in 2014-2015**

On local level, MS are striving to implement the Schengen visa rules and requirements laid down in (or in accordance with) the Visa Code within the respective visa processes and to reinforce the cooperation on fraudulent visa applications.

#### **5. Other issues**

No issue



**EUROPEAN UNION**

**EUROPEAN UNION OFFICE IN KOSOVO**

## **LOCAL SCHENGEN COOPERATION (LSC) KOSOVO 2013-2014 REPORT**

### **1. Introduction**

This report takes stock of major developments in the framework of the Local Schengen Cooperation among Member States present in Kosovo and covers the reporting period from April 2013 till March 2014. The bimonthly meetings continued to be convoked and chaired by the European Union Office in Kosovo.

There were no major developments in regards to the Member States presence in Kosovo. Norway continues to represent Denmark in matters concerning handling of applications for visas and permits. Italy also issues visas on behalf of Estonia. Sweden and Norway facilitate visa acquisition through online visa application systems which in the case of Norway by now make up nearly 100% of all applications. Switzerland issues visas on behalf of France, Austria and Liechtenstein and as of 2012 also receives applications for long-term visas from FyROM and Albania. Belgium is issuing visas for Luxembourg and The Netherlands. Slovenia issues visas for Latvia. The largest number of visa applications are still addressed to the German and the Swiss Embassies.

The Czech Republic and Sweden collect and issued visas in Skopje/FyROM. The Slovak Republic collects and processes visa applications through its Liaison Office in Pristina. The visas are then issued in the Slovak Embassy in Belgrade and delivered to the applicants through the Liaison office in Pristina.

In early 2014, the Liaison Office of Greece officially informed that as of 20<sup>th</sup> March 2014, Greece affixes visa stickers, residence permits and entry-exit stamps on ordinary, diplomatic and official passports issued by Kosovo. At the same time it was specified that this does not constitute by any means an official recognition of Kosovo as an independent State. A number of Member States continue to bilaterally apply visa facilitation provisions from the visa facilitation agreements that were signed with other countries of the region. Therefore different visa fees are applied by Member States. The visa fee for holders of Kosovo passports is €60 for Austria, the Czech Republic, Denmark, Estonia, France, Iceland, Italy, Latvia, Norway, Poland, Portugal, Spain and Switzerland. Other Schengen countries apply the reduced visa fee of €35.

Italy is now following the standard Schengen procedures and has homogenized the costs of applications.

## **2. LSC meetings held in 2013-2014**

Four regular and one ad-hoc LSC meetings were held in the period from April 2013 till April 2014. The Ad-hoc meeting was called upon Greece's request to clarify and discuss issues pertaining to the country's decision to start affixing visa stickers and stamps on ordinary, diplomatic and official passports of Kosovo. The meetings were generally well attended (average of 15-20 participants). The large majority of Member State representatives are located in Pristina with the exception of two Member States that travel regularly from Skopje to attend LSC meetings in Pristina (Sweden and the Czech Republic).

LSC meetings are chaired by the Head of the Political, Economic and EU integration section with the assistance of the LSC contact person at the European Union Office in Kosovo. While topics such as the use of the harmonized lists of supporting documents continued to be subjects of discussion, the ongoing visa liberalization dialogue and the civil status registration reform, including document security, dominated this year's agenda. On one occasion, COM Decision (2013) 5914 on the introduction of visa biometry for Kosovo was discussed. In addition, the meetings served to collect visa statistics and statistics on readmissions.

The LSC meetings served to update Member States on the visa liberalization dialogue. During the reporting period, two missions took place to assess Kosovo's level of implementation in the areas of repatriation and reintegration, document security, migration, asylum, border control and public order and security. The EUO ensured the close involvement of Member States with the experts visiting Kosovo, most notably to obtain their views on the functioning of repatriation procedures and reintegration, document security or the fight against organized crime.

The EUO informed Member States of the adoption by the Council of the amendment of Regulation 539/2001 introducing a potential visa suspension clause for the already visa free Western Balkan countries in cases of a sudden rise of asylum seekers originating from those countries.

In regards to visa statistics refusal rates are still on the high side (15-20%) and waiting times remain long.

The summary reports of the LSC meetings were shared with Member States in Pristina, which have been encouraged to share them with their capitals.

### **3. State of play**

#### **3.1 Application of the Visa Code**

The Local Schengen Cooperation meetings continue to offer an appropriate setting to discuss the issues pertaining to the day to day application of the Visa Code. However, when asked for comments on the existing visa code, most Member States notified that comments and views on the Code would be channeled through their capitals.

#### **3.2 Assessment of the need to harmonize the lists of supporting documents**

The harmonized lists of supporting documents became mandatory for all Schengen Member States following their adoption by the Visa Committee on 26 March 2013. In subsequent meetings, the EUO verified with MS the full application and smooth functioning of the harmonized lists and was assured that no issues had emerged. Upon Sweden's request, the EUO verified with DG Home Affairs if a uniform approach in terms of fees would be possible in the absence of a Visa Facilitation Agreement between the EU and Kosovo. However, DG Home Affairs clarified that the application of visa fees was a matter of discretion for individual Member States.

#### **3.3 Exchange of information**

Since 2011 the EU Office in Kosovo has been facilitating the exchange of information in regards to Schengen cooperation among the Member States. Comparing, analyzing and sharing the applicability of visa procedures is one of the main priorities of the forum. The EUO is collecting monthly visa statistics from Member States with a view to feeding them into Commission reports issued in the framework of the visa dialogue. The task requires continuous follow up, however, not all EU Member States have a representation delegation in Kosovo which inevitably results in statistical gaps. Member States also used the common mailing list to exchange information about visa applicants to -for example- avoid double applications. The same list has been used to exchange information on fraudulent documentation or other irregularities detected by an airport liaison officer.

#### **3.4 Any other initiatives taken in LSC**

NTR

### **4. Challenges in 2014-2015**

The full establishment of the central civil status registration system, notably the improvement of the overall data quality and thus the quality of civil status certificates, will certainly remain high on the agenda. Currently, the certificates in use do not meet the required security standards, an issue requiring urgent remedy. The introduction of visa biometry in the second half of 2014 is also anticipated to be an important subject matter for discussion in the LSC forum. Furthermore, the EUO will keep Member States abreast of developments linked to the Visa Liberalization Dialogue.

## 5. Other issues

Kosovo is still consolidating its newly established visa regime. During the reporting period, visas were issued at the consulates in Istanbul and Tirana and exceptionally at the airport. In autumn, Kosovo added Bosnia and Herzegovina to the list of (87) countries requiring a visa to enter Kosovo. This measure was taken against the EU's recommendation and mainly as reciprocity measure against the visa regime applied by Bosnia Herzegovina to Kosovo citizens.

On 29 November, Kosovo adopted a decision 15/158 on entry to Kosovo by citizens from selected countries, including from Schengen Members States with biometric IDs. The topic was also discussed in the LSC meetings as some uncertainty pertained to the practical application of the decision.



**UNION EUROPÉENNE**

**DÉLÉGATION A MADAGASCAR**

13/05/2014

## **COOPERATION LOCALE SCHENGEN (LSC) A MADAGASCAR RAPPORT<sup>66</sup> 2013-2014**

### **1. Introduction**

Trois Etats membres de l'UE sont présents à Antananarivo : l'Allemagne, la France et le Royaume Uni. Deux autres Etats européens membres de l'Espace Schengen sont également représentés : la Suisse et la Norvège. Depuis 2012, seuls la France et la Suisse assurent la représentation Schengen et délivrent à ce titre des visas Schengen.

La répartition de la représentation Schengen entre ces deux Etats à Antananarivo est la suivante :

- Ambassade de France : 22.000 demandes de visas ont été traitées sur l'année 2013, dont 15.800 visas délivrés sur passeport ordinaire.

S'agissant spécifiquement des demandes de visas Schengen, sur 14.417 demandes traitées, 11.701 visas Schengen ont été délivrés.

- Ambassade de Suisse : 820 demandes de visa ont été traitées sur l'année 2013, dont 650 visas délivrés. S'agissant spécifiquement des demandes de visas Schengen, sur 759 demandes traitées, 598 visas Schengen ont été délivrés.

Concernant la Suisse, tout le processus pour le traitement des visas se fait à l'Ambassade, sans aide externe. Vu le nombre réduit de demandes, les rendez-vous ne sont pas nécessaires pour le dépôt de dossiers.

L'Ambassade de Suisse a repris l'établissement des visas Schengen pour les pays suivants :

06.06.11, Norvège

30.01.12, Suède

01.05.12, Pays-Bas

01.03.2014, Pologne

La France représente les Etats Schengen suivants :

- Antérieurement à 2011 : Espagne, Italie, Grèce, Portugal, Slovaquie

- Depuis le 1<sup>er</sup> décembre 2011 : Belgique

- Depuis le 1<sup>er</sup> janvier 2012 : Allemagne (exclusivement pour les ressortissants malgaches), Autriche, Luxembourg

- Depuis 2013 : Estonie

Les prises de rendez-vous sont externalisées depuis 2009 et déléguées au prestataire "Ariane", rémunéré par la surtaxation du numéro 089100. Tout le reste du processus se déroule au Consulat général. Le rendez-vous est obligatoire.

Les visas demandés au consulat général de France ainsi que de l'Ambassade de Suisse sont intégrés au programme VIS (Visa Information System) depuis le 6 juin 2013.

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<sup>66</sup> Avril 2013 - Mars 2014

La coopération est encouragée et des réunions sont organisées par la Délégation de l'UE avec la France et la Suisse.

## **2. Réunions LSC organisées en 2013-2014**

Sur la période 2013-2014, cinq réunions de sécurité avec les consuls européens (de carrière et honoraires) ont été organisées (15 mai 2013; 4 juillet 2013; 11 septembre 2013; 23 octobre 2013; 18 décembre 2013).

Une réunion spécifiquement consacrée à la coopération locale Schengen a été organisée le 24 avril 2014 au Consulat général de France à Antananarivo.

Dans la mesure où seuls deux Etats sont concernés par cette coopération, il n'y pas lieu d'accroître la fréquence des réunions de coordination locale Schengen. Une coordination informelle s'opère par échanges directs entre les deux services concernés pour autant que besoin. Cette coordination informelle fonctionne bien.

Les rapports de réunions sont établis en coopération entre la délégation de l'UE, l'Ambassade de Suisse et le Consulat Général de France.

L'Ambassade de Suisse et le Consulat Général de France font rapport à leur Capitale après chaque réunion Schengen.

La coordination n'est pas assurée en dehors d'Antananarivo car les deux services chargés de l'émission de visas centralisent leurs activités à Antananarivo.

## **3. Etat des lieux**

### **3.1 Application du Code des Visas**

La Délégation informe régulièrement les Etats concernés de l'évolution des travaux, activités et instructions reçus de Bruxelles et transmis par la DG HOME de la CE (et autres services pour les autres sujets couverts par la coopération locale).

### **3.2 Estimation du besoin d'harmonisation de la liste des documents justificatifs.**

Comme indiqué plus haut, seuls deux Etats sont actifs dans ce domaine. Le Consulat Général de France annonce les changements du taux consulaire à l'Ambassade de Suisse qui modifie en conséquence les frais de visa. La liste des pièces justificatives demandées est échangée pour harmonisation régulièrement. L'harmonisation semble suffisamment réalisée.

A noter toutefois que des différences perdurent : en ce qui concerne l'Ambassade de Suisse, les actes d'état civil ne sont pas requis. L'Ambassade se réserve toutefois le droit d'exiger d'autres justificatifs, notamment des copies d'acte d'état civil, si elle le juge nécessaire. Les justificatifs concernant l'hôte (attestation d'hébergement) sont envoyés par email ou par fax directement à l'Ambassade. La Suisse considère l'harmonisation comme réalisée.

En ce qui concerne le Consulat Général de France, contrairement à la Suisse, les actes d'état civil sont systématiquement requis (livret de famille pour les personnes mariées) et les attestations d'hébergement ne sont pas suffisantes, les vérifications par les mairies n'étant pas toujours probantes. La France considère également l'harmonisation comme réalisée dans la mesure du possible, sachant que les documents présentés doivent pour les deux partenaires, justifier du motif du voyage, des ressources financières, de l'hébergement, de l'assurance.

### **3.3 Echange d'informations**

Les statistiques mensuelles sont communiquées chaque mois entre la Suisse, la France et l'UE. La France et la Suisse se consultent régulièrement sur les dossiers individuels (ex: sur les demandes de visas de personnes de nationalité comorienne, par exemple). La collaboration est très bonne et très rapide.

Le Consulat de France a constaté des cas de fraude sur les visas Schengen concernant en particulier les relevés bancaires et les attestations de travail.

La liste des documents de voyage émis par le pays d'accueil : un nouveau passeport biométrique est émis par les autorités malgaches depuis décembre 2013. Ce passeport n'ayant pas été communiqué préalablement aux différentes autorités européennes et de Schengen, la reconnaissance du passeport par la France n'a pu intervenir que le 10 janvier 2014. En attendant les demandeurs ont pu continuer de se faire délivrer le passeport ancien modèle par le ministère de la Sécurité intérieure malgache, avec qui des contacts avaient été pris dans ce sens pour que les demandeurs ne subissent pas les conséquences de ce délai.

La Suisse par contre a immédiatement reconnu le nouveau passeport biométrique. Selon l'Office fédéral des migrations (ODM), toutes les nouvelles éditions (versions biométriques comprises) ou séries de documents de voyage déjà reconnus sont admises. Le passeport ordinaire malgache (non biométrique) était reconnu jusque-là, le nouveau passeport ordinaire malgache (biométrique) l'est aussi.

### **3.4 D'autres initiatives prises en LSC**

Madagascar ayant été ces dernières années un pays en crise et sous article 96 de l'Accord de Cotonou, il n'a pas été aisé de développer beaucoup de nouvelles initiatives.

#### **4. Défis pour 2014-2015**

Les deux Etats concernés continueront à assurer la mise en œuvre des règles relatives aux visas Schengen en coopération avec la Délégation de l'UE. Des améliorations éventuelles de la coopération seront examinées pour autant que de besoin.

Un défi pour 2014-2015 pourrait être de faciliter la délivrance de visas professionnels.

#### **5. Divers**

L'Ambassade de Suisse qui est également accréditée aux Comores, y est représentée par l'Ambassade de France à Moroni en matière de visa Schengen.

Pas de problème particulier à signaler.





Nouakchott, le 4 juin 2014

**COOPERATION LOCALE**  
**AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC)**  
*EN REPUBLIQUE ISLAMIQUE DE MAURITANIE*

**RAPPORT<sup>67</sup> 2013-2014**

**1. Introduction**

En Mauritanie trois États membres (EM) sont présents: Allemagne, Espagne et France.

Ces trois EM ont des accords de représentation avec les EM non présents suivants :

Allemagne Aucun ;

Espagne Autriche, Italie, Portugal ;

France Belgique, Estonie, Grèce, Hongrie, Lettonie, Lituanie, Luxembourg, Pays-Bas, République Tchèque, Suède.

Le recours à du personnel externe pour la réception des demandes de visa est établi comme suit :

Allemagne Pas ;

Espagne Recours à un prestataire uniquement pour la prise de rendez-vous, la réception et la remise de documentation ;

France Recours à un prestataire uniquement pour la prise de rendez-vous.

Responsabilité de la coordination des réunions: Délégation de l'Union Européenne (DUE).

**2. Réunions LSC organisées en 2013-2014**

À Nouakchott une réunion formelle a eu lieu sur la période, avec la présence de tous les EM. En outre, des contacts électroniques/téléphoniques ont eu lieu. Le rythme trimestriel de réunions formelles n'a pas pu être tenu, par faute de sujets à l'agenda.

Des rapports n'ont pas été rédigés.

Les EM ne communiquent pas de rapports à leurs capitales.

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<sup>67</sup> Avril 2012 – Mars 2013

### **3. Etat des lieux**

#### **3.1 Application du Code des Visas**

Les tâches sont accomplies sur une base régulière dans le cadre de la coopération consulaire selon le Code des Visas.

#### **3.2 Estimation du besoin d'harmonisation de la liste des documents justificatifs.**

Les EM présents considèrent que l'harmonisation des pratiques est déjà réalisée.

#### **3.3 Echange d'informations**

Des statistiques mensuelles n'ont pas été échangées.

L'assurance médicale de voyage est demandée et est couverte aussi bien par des compagnies locales qu'internationales connues et répondent aux exigences du Code des Visas.

Pour les cas de fraude détectés il y a eu un échange d'information *ad hoc* entre les trois EM, au-delà du système VIS. Les fraudes portent sur des documents d'état civil, des documents bancaires, des réservations d'hôtel, des contrats de travail, des invitations d'affaires, des bulletins scolaires, des diplômes de fin d'études universitaires, entre autres.

Les passeports, documents de voyage émis par la Mauritanie tous reconnus. Le pays a introduit le passeport biométrique à partir du mois de février 2011. Les anciens passeports ne sont plus admis.

#### **3.4 D'autres initiatives prises en LSC**

Aucune.

### **4. Défis pour 2014-2015**

À définir lors de la prochaine réunion de coordination.

### **5. Divers**

Les EM à Nouakchott n'ont pas une durée de validité uniforme des visas. En particulier pour les "hommes d'affaires" la durée est assez variable, en fonction de chaque cas, une fois évalué le risque.



EUROPEAN UNION

DELEGATION TO MONTENEGRO

Podgorica, 30 May 2014

## **LOCAL SCHENGEN COOPERATION (LSC) MONTENEGRO 2013-2014 REPORT**

### **1. Introduction**

*In addition to the EU Delegation, there are now 18 member states (MS) with diplomatic representation (14 embassies, 4 honorary consuls) in Montenegro. Local Schengen Group meetings were held bi-annually and were followed separately with the Consular protection meetings. Meetings were attended by representatives of MS of the Schengen agreement and observers (Romania, Croatia and Bulgaria). The EUD assisted in organization of the meetings, sharing, drafting minutes and compiling and circulating relevant information (statistics, MS list of contacts, number of EU residents in MNE, update of MS contacts on Consular Protection website).*

### **2. LSC meetings held in 2013-2014**

*During this period, two meetings were held in the EUD premises and chaired by the EUD's Head of Administration. Schengen countries and the observers participated.*

*At the first meeting held on 11 April 2013, Consul at the Embassy of Slovenia, and Head of the Common Application Centre (CAC) informed the participants about visa issuance and statistics and informed that the CAC did not encounter any problem while issuing visas. The following issue was discussed:*

#### *Registration of foreigners with the police within 24h of arrival to Montenegro*

*It was reported to the Ministry about foreigners having problems to find out about the registration requirement with the police within 24 hours of their arrival to the country. Additional problems related to the shortness of that period were reported to the Ministry, especially when arrival to the country is over the weekend or during local holidays, problems of lack of understanding of the procedures on how to register, language barriers foreigners encounter at police stations, as well as certain cases of not registered foreigners being fined for that reason, in accordance with the local legislation.*

*Some of those problems were overcome with assistance of the Ministry, with activities like introducing the new online registration form translated into English, as well as the publication of informative brochure at some border crossings.*

*The agreement reached with the police not to fine a non-registered foreigner who was unaware of that requirement obviously also had a positive impact. No present EU MS representatives reported any case of their citizens being fined because of non-registering.*

*At the second meeting held on 9 October 2013 the Schengen countries shared the statistics on issued visas for the period of the past three months.*

*The following issue was discussed:*

Unlawful practice of accommodation facilities holding passports of their foreign guests, even after completion of the guest registration process.

*Tourists were asked to leave their passports/travel documents even in cases when they timely paid the invoice. In many cases it resulted in confrontation with reception personnel and even with lost or swapped passports. The Police and the Ministry were informed and they promised to distribute again this information to all tourists' accommodation providers and prevent this practice in the future. In some cases, hotels lost identity cards of some of the foreign tourists this summer. This issue was also raised with the local authorities. Consuls will monitor further progress, and if necessary, take another action in the future.*

### **3. State of play**

*MS application of the visa code is satisfactory*

#### **3.1 Application of the Visa Code**

- *The Visa code has been thoroughly discussed during the Local Schengen meetings.*
- *The EUD compiled the information on MS visa statistics for 2013 and first four months of 2014 and circulated to all MS and DG HOME.*
- *Reports from the Visa Committee have been circulated by the EU Delegation*

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

*The general view of MS is that Annex II to the Schengen regulation (lists of supporting documents) and the instructions received from the capitals offer substantial and adequate information, more than enough for Montenegro, so MS see no need for further harmonization.*

#### **3.3 Exchange of information**

*The exchange of information within the LSC includes annual statistics, cases of fraud, communication problems with local authorities, travel documents issued by the host state.*

*Lessons learned in 2013:*

*Total number of issued visas (by the CAC, Greek embassy, Italian embassy, observers) increased in 2013. For 2012, this total was **933** and **3** visas were refused, while for 2013, the total number of issued visas was **1452** and **10** visas were refused.*

*There has been no change in law for the registration period of foreigners. The registration period of 24 hours is still in place and hasn't been extended.*

*The online registration form for foreigners (with English translation) which was available on the MFA of Montenegro website in the past has been removed for some time.*

### **3.4 Any other initiative taken in LSC**

*Practice of accommodation facilities holding passports of their foreign guests will be observed this summer and will be discussed at autumn Schengen meeting to see if this practice has changed or not.*

*Removal of online form for the registration of foreigners has been reported to the guest speaker from the MFA in April (this will be stated in the next LSC report).*

### **4. Challenges**

*MS will also continue to jointly resolve outstanding issues (period of registration of foreigners, online registration form for the registration of foreigners) with Montenegrin authorities.*

### **5. Other issues**

## **LOCAL SCHENGEN COOPERATION (LSC) MOZAMBIQUE 2013-2014 REPORT<sup>68</sup>**

### **1. Introduction**

The Local Schengen Cooperation Group continued to meet and perform the local tasks, with emphasis on the work towards finalising a harmonised list of documents supporting a visa application. The Brussels Visa Committee comments were taken on board and a revised draft was finally approved by the Committee in December. In order for the process to be finalised, the adoption of an EU Commission draft implementing decision is awaited.

The VIS system went live in June 2013 and it was launched at an information and awareness raising campaign at the C-G of PT in close cooperation with the EU Delegation and with the presence of the consular corps of European Union Embassies in Maputo. A common approach towards the Mozambican authorities and civil society was followed and the implementation has proceeded smoothly.

Schengen MS issued almost 12 thousand visas in Mozambique in the year 2013. DK, DE, ES, FR, IT, NL, PT, FI, NO are the 9 Schengen visa collecting/issuing MS present in Maputo, as, since 15 April 2013, CH consular and visa services were transferred to Pretoria Regional Consular Centre. Beyond Maputo, only PT has a visa issuing consular representation in one location outside the capital (Beira, Sofala province).

### **2. LSC meetings held in 2013-2014**

The LSC had one meeting in the reporting period (10 April), in line with MS wishes and in order to continue carrying out the local LSC tasks. The meeting was well attended, counting with the presence of 5 of the 10 visa issuing Schengen MS, as well as an additional EU Schengen MS (locally represented by one of the 10 referred Schengen MS). It was chaired by the EU Delegation, also responsible for drawing up the meeting report, duly approved by MS and sent to Brussels and MS capitals.

Between meetings, LSC coordination and exchange of information (including with the Consulate-General of Portugal in Beira) was ensured by e-mail exchanges.

### **3. State of play**

#### **3.1 Application of the Visa Code**

The EU Delegation is chairing the LSC since June 2012, working closely with MS and with the full support and cooperation from the European Commission (DG Home). There is an active coordination and cooperation among MS in order to ensure a harmonised application of the Visa Code. This means a useful exchange of information, which in some cases could be improved, regarding monthly statistics on different types of visas issued, as well as refusals. During the LSC meetings, there is an active debate on other relevant issues concerning migratory and/or security

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<sup>68</sup> April 2013 – March 2014.

risks. Therefore, in general terms, MS and EU Delegation have been ensuring correctly the tasks and obligations established by the Visa Code.

Under the LSC meeting (in the reporting period), there is a problem related to the implementation of article 16 (7) of the Visa Code that have been discussed without reaching a common approach. The visa fee charged by MS is not the same and it is considered to be difficult to implement an equal rate due to different accounting systems in our LSC. We have Member States using different rates and also Member States charging the visa fees in Euros.

The harmonised list of requirements, as requested by the Visa Code, was also part of the LSC agenda in the reporting period (see point below).

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

The harmonised list of requirements was agreed locally and submitted to the Visa Committee, which made some comments and suggestions for change.

The LSC group reviewed and revised the draft harmonised list and submitted it to the Visa Committee. A new version was finally approved by the Visa Committee in December 2013. In order for the process to be finalised, the adoption of an EU Commission draft implementing decision is awaited.

### **3.3 Exchange of information**

During the reporting period, Member States improved the exchange of information within the LSC in Mozambique, which includes sharing monthly statistics and cases of fraud. It was also considered relevant to share information about the list of insurance companies that offer adequate TMI, according to the Visa Code.

### **3.4 Any other initiative taken in LSC**

A VIS information and awareness raising campaign was launched at the C-G of PT in close cooperation with the EU Delegation and with the presence of the consular corps of European Union Embassies in Maputo.

## **4. Challenges**

The implementation of the VIS system, listed as the main challenge in the previous report, has been proceeding smoothly.

For the next reporting period, the implementation of the harmonised list of documents supporting a visa application, following its approval, will be the main challenge.

## **5. Other issues**

No other issues to address.



27 /05 / 2014

## **LOCAL SCHENGEN COOPERATION (LSC) in Nepal 2013-2014 REPORT<sup>69</sup>**

### **1. Introduction**

Nepal currently hosts only five LSC Member States: Denmark (DK), Finland (FI), France (FR), Germany (DE) and Switzerland (CH). Only DK is using an external service provider (VFS) for the collection of visa applications.

The French Embassy in Nepal is in the process of closing its visa section. As from 1 June 2014, the French Embassy will no longer deliver visas in representation of Italy, Portugal, Slovenia and Spain.

This report has been drawn up by EUD with MS giving their comments.

N.B. Norway has an Embassy in Kathmandu, but the visas are issued by the Danish Embassy.

### **2. LSC meetings held in 2013-2014**

The EUD has organised and chaired four LSC meetings during the reporting period. The meetings are well attended by the MS. No ad hoc meetings have been arranged. A short summary of the issues discussed is drawn up by the EUD and sent to MS.

Due to the limited size of each MS Embassy represented in Nepal, as well as the continuous heavy workload, planned meetings sometimes have to be postponed.

Only CH sends a short report (simple standard form) to Bern after each meeting mentioning the issues discussed. DE has informed Berlin that regular meetings are taking place.

All MS will send the common list of supporting documents to their capitals once it has been finalised.

### **3. State of play**

#### **3.1 Application of the Visa Code**

The LSC Member States in Nepal are willing to ensure that the tasks under the Visa Code are carried out. Specific issues have been discussed to find a common position (such as student visas, waivers of visa fees and the practise for exchange rates).

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<sup>69</sup> April 2013 – March 2014



### **3.2 Assessment of the need to harmonise the lists of supporting documents**

- A list of common supporting documents is under preparation and should be finalised within a near future.
- A common information sheet has also been discussed and finalised, but the final draft still needs to be agreed upon before it is distributed. This information sheet is considered very important by MS as many are issuing visas also for several other countries.

### **3.3 Exchange of information**

The MS are exchanging information on:

- statistics;
- cases of fraud;
- other issues.

### **3.4 Any other initiative taken in LSC**

Not applicable.

## **4. Challenges**

1. *Describe the response to challenges, if any, listed in the 2012-2013 report*  
Not applicable.
2. *Describe subjects to be addressed within the next reporting period (2014-2015)*  
The approval of the final draft of the common information sheet as well as the finalisation of the harmonised list of supporting documents will be the main topics for the next reporting period.

## **5. Other issues**

The Constitutional Elections held in November 2013 did not have any major impact on the issuing of visas.

The difficult political and economic situation prevailing in Nepal is pushing more and more Nepali to emigrate from their country.



## EUROPEAN UNION

DELEGATION TO THE FEDERAL REPUBLIC OF NIGERIA AND  
TO THE ECONOMIC COMMUNITY OF WEST AFRICAN STATES

Abuja, 25<sup>th</sup> May 2014

### **LOCAL SCHENGEN COOPERATION (LSC) in NIGERIA (ABUJA) 2013 – 2014 REPORT<sup>70</sup>**

#### **1. Introduction**

The Delegation of the European Union to the Federal Republic of Nigeria chairs the Local Schengen Cooperation meetings. The following MS Embassies (Schengen partners) are present in Abuja:

1. Austria
2. Belgium (also represents Lithuania in northern Nigeria, Luxemburg, and Estonia)
3. The Czech Republic
4. Finland
5. France (also represents The Netherlands and Lithuania in the southern Nigeria)
6. Germany (also represents Portugal in southern Nigeria)
7. Greece
8. Hungary
9. Italy
10. The Netherlands
11. Norway (also represents Iceland)
12. Poland
13. Portugal
14. The Slovak Republic
15. Spain
16. Sweden (also represents Denmark, and Latvia)
17. Switzerland

Representatives of Bulgaria and Romania are always invited to attend the meetings and are on the list of documents/information shared by the LSC.

The following Schengen MS have Consulates General in Lagos: FR, DE, IT, ES.

The only change during the reporting period is that Hungary reopened its Embassy in Abuja and has re-started visa procedures.

Four Embassies use external service providers for the collection of applications (Visa Facilitating Service – VFS):

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<sup>70</sup> April 2013 – March 2014

- Belgium
- France
- Germany
- The Netherlands

## 2. Local Schengen Cooperation meetings held in 2013 - 2014

During the reporting period (April 2012 – March 2013) six of scheduled EU Schengen Group meetings were held on:

1. 22 May 2013
2. 31 July 2013
3. 26 September 2013
4. 20 November 2013
5. 22 January 2014
6. 12 March 2014

There were two extraordinary meetings:

- |                 |  |
|-----------------|--|
| In October 2013 | – Internal Seminar on fake Documents (facilitated by specialists from the Netherlands);  |
| In March 2014   | – Meeting organised by the representatives of the Belgian Ministry of Foreign Affairs and Immigration Service (best practices in dealing with fake documents). |

All the meetings, either scheduled or extraordinary, were well attended. There were no substantial changes compared to the previous reporting period. The number of short term visas issued by the Schengen MS Embassies for NG citizens does not vary very much in comparison with the past three years (year 2013 – 52,917; year 2012 – 51,895; year 2011 – 48, 609; year 2010 – 51,059).

The representatives of the MS commonly agreed to maintain the bimonthly ordinary meetings, and consider this frequency as satisfactory. They would also like to devote a part of these meetings to discuss some specific issues (outsourcing, reliability of insurance companies, internal organization of visa procedure, etc.). Occasional seminars/trainings are generally dedicated to new techniques on detecting fake documents, and methods to identify new threats.

The Chair (EU) provides logistics support by preparing the agenda and draft minutes of the meetings which are then distributed to all Members for their comments and contribution. Some Members forward the final versions of the minutes to their respective HQs while others do not.

The Chair has proposed that an LSC meeting be organized in Lagos once a year.

## 3. State of play

### 3.1. Application of the Visa Code

The most important issue for all Schengen MS in Abuja during the reporting period was – as in previous years – the Nigerian Authorities' demand to shorten and to simplify the Schengen visa procedure. They constantly complain about the long period (15 days) which is required to obtain Schengen visas for both official and private visits.

Nevertheless, the intensity of this pressure during the reporting period has dropped substantially. Even during the Political Dialogue Meeting on 28<sup>th</sup> March, 2014 (Art. 8, Cotonou Agreement), attended by all EU MS Ambassadors Nigerian officials, and co-chaired by the Head of EU Delegation and the Nigerian Minister of Foreign Affairs, the visa issues were not raised. It justifies a conclusion that common and intensive action to provide the Nigerian Authorities with information about the Schengen system, procedures, including Visa Code – has brought positive results.

Of course, the actual improvement of the situation in this regard does not mean that the problem of Schengen visas would not be raised by the Nigerian Authorities in the future. It might be periodically used by the Ministry of Foreign Affairs to show its care about ordinary citizens.

Major problems faced by the Schengen MS in Abuja during the reporting period have not changed significantly compared to the previous reports, and include:

- Quality of documents, especially supporting ones; many are simply forged or fraudulently obtained;
- High migration pressure including long queues at visa offices; many applicants deliver their applications forms to more than one Embassy at the same time which overloads the visa staff;
- Issuing an unlimited number of supporting/recommendation letters by the Nigerian Authorities, this problem is the focal one we raise on periodical meetings with the representatives of the NG MFA;
- Wide variety of processing times for visa applications; some MS issue visas just after receiving all confirmations (consultations), the other ones keep strictly to the 15-day period. These practices push NG applicants to look for a better chance and to send applications to more than one Embassy simultaneously.

### ***3.2. Harmonising the list of supporting documents***

The harmonised list of supporting documents for Nigeria (Abuja and Lagos) was prepared by the Local Schengen Cooperation in the beginning of 2012. The Commission Implementing Decision was taken on 6<sup>th</sup> August 2012 which made it a bind document for all MS in this regard.

We have not experienced any particular problems with the implementation of the Decision mentioned above, all MS follow the rules and obligations they have committed to. Most emerging problems like loosing trust in certain tour operators, insurance companies or fraud documents (passports, certificates, etc.), were always discussed during LSC Working Group Meetings, disseminated directly by the visa officer who discovers the problem via the common mailing list or through the LSC in the Delegation.

It could be concluded that the MS' implementation of the COM Decision (6<sup>th</sup> August 2012) on the list of supporting documents has been realized in full compliance with all relevant instructions and recommendations from the HQ. The LSC Working Group holds the position that the existing list of supporting documents does not need any amendments at the moment.

### ***3.3. Exchange of information***

Generally, during LSC Working Group meetings the MS share information about most important areas of their activity:

- Visas – there is no share of monthly statistics, the MS inform about trends or phenomenon they notice. Instead of that, the Chair (EU DEL) prepares annual visa statistics reflecting

broader scale changes both in Abuja and Lagos (the number of all kinds of visas, refusal rates, etc.). The Chair prepared such statistics for the years 2009, 2010, 2011, 2012, and 2013. It is a good substance to analyse changes and trends. The annual visa statistics is normally an issue for discussion during one of the LSC meetings in the first semester of the year;

- Fraud or fake documents – cases are described by emails by the MS which discovered it, disseminated to all partners, and discussed afterwards during the following meeting;
- Suspicious or doubtful applications – cases are also checked via email.

One real and important problem which raises a growing concern among the Schengen MS is the reliability of the travel medical insurance (TMI). Extending cooperation in this area, the LSC Group started to exchange information about the most reliable and trust-worthy insurance companies. Of course, the MS are free to indicate and to choose reliable insurance companies, but such platform creates new opportunities. In practice, the MS exchanges (by email) the names of companies they accept and those doubtful. The LSC Group agreed that at the present situation no further steps are needed.

The exchange of information between Schengen Consuls/Visa Officers is really efficient. All questions or remarks shared by email are quickly answered or commented by others. The Chair (EU) is always in copy.

### ***3.4. Other initiatives taken by the LSC***

As mentioned in point 2 the Special Internal Seminars on False Documents were organized in October 2013, and in March 2014. The highly qualified and experienced experts from the Netherlands (October 2013) and from Belgium (March 2014) presented all possible kinds of fraud and fake documents, used by visa applicants mostly as supporting ones. They also showed ways and methods to verify authenticity of presented documents.

Such seminars/training sessions with participation of experts from different MS has become a kind of tradition in LSC Group in Abuja. It gives our Visa-Officers a wider glance on what they should be aware of, on new threats, on new methods of documents' falsification, and how to avoid them. Of course – these training seminars are always very well attended. They could be organized in Lagos, too.

#### **4. Challenges in 2014 – 2015**

The general challenges, mentioned in the previous report, have not changed significantly. A continuous unstable political situation in West Africa (rebellion in Mali, growing threat from Maghreb al-Qaida), and growing activity of Boko Haram inside Nigeria have a negative impact on social security and increases migration pressure. This phenomenon will occur also in this and coming years, although the level of migration, especially illegal migration, may vary.

The most important event which focuses utmost attention of Nigerians is presidential and parliamentary elections in the beginning of 2015 (most probably in February). Election campaign should officially start towards the end of summer/beginning of autumn 2014 and a very tight competition is expected. This may additionally deteriorate internal situation in Nigeria and make Schengen cooperation more difficult.

Nevertheless, the Local Schengen Cooperation should be intensified, especially in "early warning" system of information exchange regarding falsified documents and not-reliable insurance companies appearing in the market. Several practical arrangements in these regards have been already done; further steps may be taken upon acknowledgement and acceptance of the Schengen MS.

#### **5. Other issues**

Like in previous reporting periods – increase and intensification of the Local Schengen Cooperation in all stages of the visa procedure is seen and considered by the MS as a common interest. The Presidency (EU) does not try to impose any final solution, it tries to propose, suggest or to indicate problems or issues that may be of interest to discuss or to solve commonly. Such approach is accepted by the MS, leaving them a final sovereign decision: YES or NOT to grant a visa to a certain applicant.

## **LOCAL SCHENGEN COOPERATION (LSC) PARAGUAY 2013-2014 REPORT<sup>71</sup>**

### **1. Introduction**

Five Member States are represented in Paraguay: Germany, Spain, France, Italy and the United Kingdom.

The embassies of the EU Member States in Asunción share the burden of representing at consular level Member States that do not have any diplomatic representation in Paraguay, each one taking charge of a number of States (consular matters).

Schengen visas are issued only in the capital, Asunción by the embassies of the Member States present there (there are not any consulates in other locations).

### **LSC meetings held in 2013-2014**

The EU delegation held a first EU coordination meeting on consular matters on 4 April 2014 which was attended by all Member States except Germany, whose consular attaché was absent. The EU chaired and minuted the meeting, the record of which was approved by all the participating Member States. The following topics were discussed:

- requirements for Schengen visas
- current situation regarding the division of consular responsibilities and visa matters
- report on local Schengen cooperation
- practicalities concerning consular care and protection for people in detention
- exchange of information on EU embassies' plans for emergency situation, regrouping and evacuation
- frequency of consular and administrative meetings
- AOB

A meeting dedicated to security/evacuation issues is scheduled for 30 May 2014. Other meetings on consular and administrative issues are scheduled in the autumn and winter this year.

### **2. Current situation**

#### **3.1. Application of the visa code**

The EU Member States represented in Paraguay are well prepared to implement the Visa Code and to deal with the requests of citizens of other EU Member States that do not have an embassy in Paraguay.

All the embassies apply the EU visa code correctly. Within this framework they tailor the level of documentary requirements to the visa applicant and in the light of his or her credibility.

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<sup>71</sup> April 2013 – March 2014

They did not flag and particular problems.

### **3.2. Assessment of the need to harmonise the lists of supporting documents**

Paraguay is on the list of countries whose citizens do not require visas to enter the EU for periods of less than three months every six months, so only a small number of Schengen visas are issued by each embassy.

There is no need to harmonise the list of documents required to obtain a visa. All the Member States adhere to the basic documents referred to in the visa code. Any differences concern the optional documents required to check the legitimacy of the request.

### **3.3. Exchange of information**

#### **Germany**

Germany issued 24 Schengen visas between April 2013 and March 2014. No case of fraud had been detected. The only insurance accepted by Germany is the 'Assist Card', which meets the requirements of the EU visa code.

#### **Spain**

Between April 2013 and March 2014 Spain issued 21 Schengen visas, one for airport transit and the rest for stays in the EU. No cases of fraud were reported over this period. Spain's embassy has taken the necessary steps to ensure that the travel medical insurance satisfies the requirements of the EU visa code.

#### **France**

France issued 37 visas over the period in question and reported no cases of fraud. The medical insurance asked for by France meets the requirements of the EU visa code.

#### **Italy**

Italy issued 8 visas. No case of fraud were detected. The medical insurance asked for meets the requirements of the EU visa code.

#### **UK**

N/A

### **3.4. Other initiatives taken under the LSC**

Nothing to report.

## **4. Challenges**



Ensure that regular meetings of consular attachés in Paraguay, the first of which took place on 4 April 2014, are held with the necessary frequency and include all relevant matters (including regrouping and evacuation plans).

## **5. Other issues**

N/A



Manila, 09/09/2014

## **LOCAL SCHENGEN COOPERATION (LSC) in THE PHILIPPINES 2013-2014 REPORT<sup>72</sup>**

### **1. Introduction**

A total of 11 Schengen members (Belgium, Switzerland, Czech Republic, Germany, Spain, France, Greece, Italy, The Netherlands, Norway and Austria) are represented in the Philippines. The current representation arrangements for the non-resident MS are as follows:

AT - Lithuania

CZ – Slovakia

ES – Malta

GR - Portugal

NL – Poland and Latvia

NO – Denmark, Finland, Sweden, Iceland and Estonia

The Netherlands moved the part of the Visa Section and decision making to Kuala Lumpur, Malaysia, where they have their regional office. Some MS mentioned that this move could weaken the security in the process of delivering visas, as no local checks could be carried out.

Some MS have outsourced the bookings for visa appointments.

### **2. LSC meetings held in 2013-2014**

LSC meetings take place on a bi-monthly basis at the EU Delegation (EUD). In general they are well attended, but sometimes attendance is poor; certain MS attend regularly whereas some hardly participate. LSC meetings are organised and chaired by the EUD. Ad hoc meetings are as well organised on specific subjects and with the participation of third parties or even non-Schengen Member States.

The Minutes/Reports of the meetings are drawn up by EUD.

Coordination with LSC in locations outside the capital is ensured. This is, however, limited to certain LSC in the region who also tried to coordinate with LSC Philippines concerning visa

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<sup>72</sup> April 2013 – March 2014

applications for Filipino applicants that they process. The embassies of Sweden in Bangkok, Thailand and Portugal in Jakarta, Indonesia are regular recipients of the LSC meeting minutes.

### **3. State of play**

#### **3.1 Application of the Visa Code**

We can say that the Visa Code is largely applied by Member States in the Philippines. However, differences in the interpretation of some articles still appear.

The biggest remark, however, is the volume of applications, mainly seafarers. A working group on harmonisation of seafarers' application procedures has been created recently.

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

MS present consider that harmonisation of practices is already acquired. The main objective of the LSC of the past 12 months has been to finalise the harmonisation of the documents to be presented by visa applicants and to get a decision on the final list. The meetings were also the occasion of exchanges of good practices and meeting with various government bodies.

Despite the active participation of the Member States present at meetings, the absence of some of them makes it difficult sometimes to get common decisions on the discussed topics.

The harmonisation of documents is at its final stage. After several amendments following the Visa Committee's recommendations, LSC has agreed on a final list and hopes to get the COM Decision shortly.

#### **3.3 Exchange of information**

##### *3.3.1 Monthly statistics*

Certain MS submit their statistics regularly and EUD compile them; others need to be reminded. The compiled statistics are shared with the MS and a copy of the annual statistics is sent to the Visa Comm.

##### *3.3.2 Cases of fraud*

Information regarding specific or suspicious causes of fraud is pro-actively shared by email and some cases are discussed during LSC meetings. Common cases encountered were on fraudulent documents and attempts on human trafficking.

Also, MS share information about deported Philippine citizens.

##### *3.3.3 Travel Medical Insurance (TMI)*

The LSC has a shared list of TMI agencies that they regularly worked with. Most of these agencies are used by Schengen visa applicants. Only insurance companies offering the requirements of the Visa Code are accepted. No Insurance Company accreditation list is published.

##### *3.3.4 Others issues*

### *3.3.4a Biometry*

Biometry has been applied without major problems since November 2013. MS have shared their feedback on the starting up problems, which were minor (finger prints scan not always reliable, due to over use of nail polish/moistening cream by some Philippine women).

A couple of MS currently use the services of an external provider for biometry. Others are considering it. And one will as soon as possible start the bidding process/outsourcing of a service provider who will perform biometry of their applicants.

### *3.3.4b Return Control*

The MS have different practices in applying the Return Control but most of them closely monitor this.

## **3.4 Any other initiative taken in LSC**

### *3.4.1 Training on Visa and Consular Officials and Local Staff in the Visa Section*

As mentioned in the last report, a level-up training on Fraud Document and Detection of Impostors was conducted as scheduled on 15 May 2013. The target participants were staff members working for the visa and consular sections who have just joined the mission and the previous participants of the September 2012 workshop. The participants are not as many as the previous workshop.

A similar training is offered again this month but the MS suggested that there should be no need for additional training at Consular level in the coming months.

### *3.4.2 Human trafficking*

Human trafficking was planned to be a regular item for update and discussion during the meetings. It was suggested that, “Human trafficking/smuggling” should be a fixed point on the LSC agenda to strengthen the cooperation between the embassies and create awareness on this topic; that in each meeting a case of human trafficking/smuggling could be discussed/presented. NL took the lead and on 4<sup>th</sup> June 2013 presented the first case. NL actively cooperates with the IACAT and supports two key projects: Victim Processing Center Pilot Project and the Philippines Anti-Trafficking in Persons Database Enhancement Project. A short video presentation was prepared.

During the meeting of 2<sup>nd</sup> July 2013 NO presented a comprehensive update on human trafficking donor's meeting which was held on 18<sup>th</sup> June 2013 at the Norwegian Embassy. The meeting focused mainly on prevention, the plan to have an information center available to groups with risk of exploitation and campaign against agents ( esp. for study permit to go to Norway) that will also involve partnership of private sectors and different partners.

### *3.4.3 Accreditation of Crewing agencies*

Accreditation of crewing agencies is among the many challenges some MS face to date. In March 2013, there was a discussion whether the joint-accreditation process should be continued or discontinued as one of the concerns is the capacity to do the accreditation on top of all other visa applications being managed by each MS and that the Philippine Overseas Employment Agency (POEA) is performing similar accreditation process. It was agreed that an annual meeting will be

done to discuss how an accredited company performed – the aim is to make a common decision to re-accredit or not.

To address other issues concerning seafarers, a small "Working Group for Seafarers" was formed. It was suggested that the MS who receive the biggest number of seafarer applications takes part. The members are DE, ES, GR, IT and NL. The group will:

- gather how each country proceeds
- detect main problems per country
- put all these in paper
- respond to the main idea gathered on this

and will come up with a plan/structure with a deadline, distribute this to the MS and consolidate the ideas. ES volunteered to help with the structure and to come up with solutions.

#### **4. Challenges**

In spite of all efforts, the LSC did not manage to get the harmonised list approved by the Visa Committee. Therefore, the main challenges for the coming year are remain:

- To achieve harmonised procedures for handling visa applications
- To achieve harmonised issuance of visas to Seafarers.

#### **5. Other issues**

*This report has been approved by all MS present.*



23/04/2014

## **LOCAL SCHENGEN COOPERATION (LSC) in MOSCOW 2013-2014 REPORT<sup>73</sup>**

### **1. Introduction**

All Schengen Member States/associated Member States are present in Moscow with the exception of Liechtenstein which is represented by Switzerland. During the reporting period, Iceland started to issue Schengen visas in Moscow. At the end of March 2014, Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Italy, Latvia, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Spain, Sweden and Switzerland use external service providers in Moscow for the collection of applications.

### **2. LSC meetings held in 2013-2014**

During the reporting period, nine LSC meetings were organised in Moscow.<sup>74</sup> All meetings were chaired by the EU Delegation (EUD) and well attended by Schengen Member States (as well as Bulgaria, Cyprus and Romania). Furthermore, one extraordinary meeting<sup>75</sup> to prepare for the EU-Russia Joint Visa Facilitation Committee as well as one combined EU/Schengen meeting<sup>76</sup> on consular protection and visa matters took place. A representative of the U.S. Embassy in Moscow participated in one LSC meeting as a guest speaker. EUD also convened one visa related meeting<sup>77</sup> with EU/Schengen consuls present in Yekaterinburg.

EUD continued to draw up draft summary reports of all LSC meetings and consulted the LSC group before transmitting the approved reports to the European Commission. The Member States shared the common reports with their respective capitals and drew up their own reports. Alongside EUD's chairmanship of both groups, consulates in Moscow coordinate their practices closely with their colleagues in St. Petersburg (and in other locations in Russia) in line with the outcomes of the discussions in Moscow.

### **3. State of play**

#### **3.1 Application of the Visa Code**

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<sup>73</sup> April 2013 – March 2014.

<sup>74</sup> On 25 April, 30 May, 26 June, 16 September, 15 October, 13 November, 28 January, 21 February and 24 March.

<sup>75</sup> On 14 May.

<sup>76</sup> On 28 March.

<sup>77</sup> On 5 February.

The Schengen Member States and EUD are generally well prepared to ensure the tasks to be carried out in LSC under the Visa Code although practical interpretation of many stipulations were discussed in LSC meetings (see below point 3.3.).

### 3.2 Assessment of the need to harmonise the lists of supporting documents

With the exception of one Member State, the agreed harmonised list of supporting documents is being implemented in Moscow even in the absence of the related Commission Decision (which awaits the conclusion of the amended EU-Russia Visa Facilitation Agreement). Practical implementation was on the LSC meeting agendas throughout the reporting period during which the Member States did not express particular problems or concerns.

### 3.3 Exchange of information

The LSC discussed regularly monthly statistics; in 2013, the number of visa applications submitted by Russian citizens increased (from 5.9 to 7.0 million), the rate of issued multiple-entry visas increased (from 49 to 55%) and the refusal rate remained stable (at around 1%) in comparison to 2012. In Moscow, 4.7 million Schengen visa applications were submitted, the rate of multiple-entry visas was 43% and the refusal rate 1.0%. Information on cases of fraud was regularly exchanged within the LSC (and through the local anti-fraud group).

In addition to the issues mentioned above and outcomes of the EU-Russia Joint Visa Facilitation Committee meetings, the LSC exchanged information about

- *submission of visa applications* (by intermediaries with power of attorney, personal appearance when lodging an application);
- *principles of visa issuance* (urgent visas including for tourism purposes, multiple-entry visas for tourists, visa issuance for air crew members on official visits with service passports, visas for students in the UK, multiple-entry visas for travellers without prior visa history);
- *visa fees* (multiple-entry visas, fee waivers for disabled persons);
- *other practicalities* (annulments and revocations of visas, parental consent for travelling children including its length of validity, threshold of carry-on cash amount during travelling, signing/stamping of visa stickers, parallel use of Schengen and non-Schengen national visas);
- *information provision* (public information provision on the allowed stay; internal sharing of details of dishonest couriers);
- *cooperation with external service providers and travel agencies* (accreditations and cancellations thereof, number of documents requested, obligation to use external service providers);
- *the EU's visa related policy* (possible amendments and improvements to the Visa Code, revised method of calculation of stays of 90/180 days, timetable for the start of VIS roll-out in Russia);
- *Russia's visa policy* (visa issuance for members of official delegations, visa waiver for participants of international sports competitions, appeal procedures against visa refusals by Russia, 72-hour visa-free transit for tourism purposes, cases of EU citizens faced with re-entry bans for minor offences); and
- *relevant events and developments* (notably the Visa Dialogue, negotiations on the amended EU-Russia Visa Facilitation Agreement, EU-Russia Migration Dialogue, bilateral talks with Russia on visa issues, number of Russian asylum-seekers, practical implementation of travel restrictions on Russian individuals following the Council conclusions).

The LSC meetings were also used to briefly discuss the consular preparations for the Sochi Olympic and Paralympic Games.

### **3.4 Any other initiative taken in LSC**

The LSC prepared and updated comprehensive tables on consular presence in the Russian territory for the purpose of receiving visa applications as well as on accredited and 'blacklisted' travel agencies. It was also agreed to organise, in cooperation with Frontex, consular staff training on falsified travel and supporting documents.

## **4. Challenges**

As regards the challenges indicated in previous reports, the implementation of the amended EU-Russia Visa Facilitation Agreement, full integration of Bulgaria or Romania into Schengen and full implementation of the harmonised list of supporting documents, notably lack of application by one Member State, still remain potential challenges for 2014-2015.

In terms of other subjects to be addressed within the next reporting period (2014-2015), the legal and practical consequences of the illegal annexation of Crimea by the Russian Federation and the roll-out of the VIS in Russia possibly in early 2015 would require particular vigilance and activity by the Member States and EUD.

## **5. Other issues**

The geographical size of the Russian Federation continues to pose particular problems for the Schengen cooperation (as described already in previous reports). Furthermore, given that the EU's visa policies and issuance are matters of high public and political interest in the Russian Federation, regular negative and somewhat distorted reporting in the Russian media and statements by the Russian authorities render the working conditions of the Schengen consulates and EUD more difficult (as described already in previous reports). This situation might become worse with the illegal annexation of Crimea by the Russian Federation and the consequent introduction of travel bans to a number of Russian individuals.

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*This LSC Moscow 2013-2014 report has been approved by all Member States present and EUD.*





24/04/2013

## **LOCAL SCHENGEN COOPERATION (LSC) in ST. PETERSBURG 2013-2014 REPORT<sup>78</sup>**

### **1. Introduction**

22 Schengen Member States/associated Member States<sup>79</sup> are present in St. Petersburg. Finland, Latvia, the Netherlands and Switzerland represent Austria, Slovenia, Luxembourg and Liechtenstein respectively, and the following Member States use external service providers in St. Petersburg for the collection of applications: Belgium, the Czech Republic, Denmark, Estonia, Finland, France, Greece, Italy, Latvia, Malta, Poland, Spain, Sweden and Switzerland.

### **2. LSC meetings held in 2013-2014**

During the reporting period, five LSC meetings were organised in St. Petersburg<sup>80</sup>, hosted by different consulates<sup>81</sup>. All meetings were chaired by the EU Delegation (EUD) and well attended by Schengen Member States (as well as Bulgaria, Cyprus and Romania).

EUD continued to draw up draft summary reports of all LSC meetings and consulted the LSC group before transmitting the approved reports to the European Commission. The Member States shared the common reports with their respective capitals and drew up their own reports. Alongside EUD's chairmanship of both groups, consulates in St. Petersburg coordinate their practices closely with their colleagues in Moscow in line with the outcomes of the discussions in the capital. As a matter of fact, decisions in Moscow are in a vast majority of cases automatically implemented in St. Petersburg.

### **3. State of play**

#### **3.1 Application of the Visa Code**

The Schengen Member States and EUD are generally well prepared to ensure the tasks to be carried out in LSC under the Visa Code although practical interpretation of many stipulations were discussed in LSC meetings (see below point 3.3.).

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

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<sup>78</sup> April 2013 – March 2014

<sup>79</sup> Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, the Netherlands, Norway, Poland, Romania, Slovakia, Spain, Sweden and Switzerland.

<sup>80</sup> On 25 June, 9 October, 14 November, 30 January and 13 March.

<sup>81</sup> Consulates-General of Germany, Hungary and Lithuania.

With the exception of one Member State, the agreed harmonised list of supporting documents is being implemented in St. Petersburg even in the absence of the related Commission Decision (which awaits the conclusion of the amended EU-Russia Visa Facilitation Agreement). Practical implementation was on the LSC meeting agendas throughout the reporting period during which the Member States did not express particular problems or concerns.

### 3.3 Exchange of information

The LSC discussed regularly monthly statistics; in 2013, the number of visa applications submitted by Russian citizens increased (from 5.9 to 7.0 million), the rate of issued multiple-entry visas increased (from 49 to 55%) and the refusal rate remained stable (at around 1%) in comparison to 2012. In St. Petersburg, 1.6 million Schengen visa applications were submitted, the rate of multiple-entry visas was 86% and the refusal rate 0.8%. Cases of fraud were regularly discussed within the LSC.

In addition to the issues mentioned above and outcomes of the EU-Russia Joint Visa Facilitation Committee meetings, the LSC exchanged information about

- *submission of visa applications* (immediate appearance at the consulate);
- *principles of visa issuance* (applications and requirements of third-country nationals, issuance of urgent visas, issuance of visas for EU citizens, visas for stateless persons);
- *visa fees* (methods of payment of visa applications, fees for family members of EU citizens for tourism purposes);
- *other practicalities* (annulments and revocations of visas, parental consent for travelling children, maintenance of paper archives on decisions on visas applications, signing/stamping of visa stickers, documents requested from urgent cases of medical treatment);
- *information provision* (requests by Russian authorities for information contained in visa applications, sharing of information on inbound tourism, sharing of information and/or scanned copies of visa applications with investigative authorities of other Member States);
- *cooperation with external service providers* (fees charged) *and travel agencies* (accreditations and cancellations thereof, acceptance of powers of attorney, submissions at consulates, number of documents requested);
- *the EU's visa related policy* (timetable for the start of VIS roll-out in Russia, revised method of calculation of stays of 90/180 days, functioning of the FTD/FTRD transit scheme, fees for overstays, revised residence permits of Member States);
- *Russia's visa policy* (appeal procedures against visa refusals by Russia, 72-hour visa-free transit for tourism purposes, cases of EU citizens faced with re-entry bans for minor offences); and
- *relevant events and developments* (notably the Visa Dialogue, negotiations on the amended EU-Russia Visa Facilitation Agreement, EU-Russia Migration Dialogue).

### 3.4 Any other initiative taken in LSC

The LSC prepared and updated comprehensive tables on consular presence in the Russian territory for the purpose of receiving visa applications as well as on accredited and 'blacklisted' travel agencies. It was also agreed to organise, in cooperation with Frontex, consular staff training on falsified travel and supporting documents.

## 4. Challenges

As regards the challenges indicated in previous reports, the implementation of the amended EU-Russia Visa Facilitation Agreement, full integration of Bulgaria or Romania into Schengen and full implementation of the harmonised list of supporting documents, notably lack of application by one Member State, still remain potential challenges for 2014-2015.

In terms of other subjects to be addressed within the next reporting period (2014-2015), the legal and practical consequences of the illegal annexation of Crimea by the Russian Federation and the roll-out of the VIS in Russia possibly in early 2015 would require particular vigilance and activity by the Member States and EUD.

## **5. Other issues**

The geographical size of the Russian Federation continues to pose particular problems for the Schengen cooperation (as described already in previous reports). Furthermore, given that the EU's visa policies and issuance are matters of high public and political interest in the Russian Federation, regular negative and somewhat distorted reporting in the Russian media and statements by the Russian authorities render the working conditions of the Schengen consulates and EUD more difficult (as described already in previous reports). This situation might become worse with the illegal annexation of Crimea by the Russian Federation and the consequent introduction of travel bans to a number of Russian individuals.

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*This LSC St. Petersburg 2013-2014 report has been approved by all Member States present and EUD.*



EUROPEAN UNION

DELEGATION OF THE EUROPEAN UNION  
TO THE KINGDOM OF SAUDI ARABIA

الاتحاد الأوروبي

مندوبية الاتحاد الأوروبي إلى  
المملكة العربية السعودية

Riyadh, 09/09/2014  
JW/D/494

## **LOCAL SCHENGEN COOPERATION (LSC) in Saudi Arabia 2013-2014 REPORT<sup>82</sup>**

### **1. Introduction**

A total of 18 Schengen Member States<sup>83</sup> are represented in Riyadh. Four of them<sup>84</sup> also have consulates in Jeddah, after closure of the Swiss consulate during the reporting period. Some Schengen member states are making use of an external service provider (ESP) to collect visa applications. This is currently the case for Austria, France, Germany, Italy, Malta and Spain. Switzerland announced the use of an ESP in Jeddah and Riyadh as of April. Sweden is negotiating a contract with an ESP as well, with a signature foreseen for April. All countries are using the same company, VFS Global. Some of these MS only use the company's visa application centre in Riyadh, others also use those in Jeddah and Dammam.

### **2. LSC meetings held in 2013-2014**

LSC regularly met every second month at the EUD, chaired by EUD. In the reporting period, a total of six meetings took place. LSC meetings are open to all EUMS as observers; one of the non-Schengen countries occasionally attended. As guest, the head of visa section of the US embassy took part in one meeting during the reporting period.

Meetings were always well attended with usually 15-16 MS present; none of the MS was regularly absent. EUD drafted the minutes of the meetings and shared them with the MS in Riyadh. MS regularly informed their consulates in Jeddah of the outcomes of the LSC meetings. Most MS share the minutes with their capitals.

LSC continued to hold its meetings back-to-back with Consular Cooperation meetings.

### **3. State of play**

#### **3.1 Application of the Visa Code**

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<sup>82</sup> April 2013 – March 2014

<sup>83</sup> AT, BE, CZ, DK, FI, FR, DE, EL, HU, IT, MT, NL, PL, PT, ES, SE, CH, NO

<sup>84</sup> FR, DE, EL, IT

The key challenge during the reporting period was the implementation of the main destination rule (art. 5 VC): The host country authorities and the flag carrier Saudi Arabian Airlines repeatedly published misleading information about the relevant rules. At the same time, the border control authorities of certain Schengen MS enforced the main destination rule particularly strictly, including refusals of entry at the border. This led to a number of exchanges with the host country authorities which eventually had a positive result: At the end of the reporting period the host country's Ministry of Foreign Affairs sent a text message to all mobile phones in the country which summarised the main destination rule correctly.

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

MS are implementing the harmonised list of supporting document since 15 September 2011. After the summer season (usual rotation period for staff in MS embassies / consulates) EUD reminded MS of the need to continue ensuring a harmonised application of the list and the need to keep its elements publicly available.

### **3.3 Exchange of information**

The list of trusted providers of Travel Medical Insurance was updated during the reporting period: three new companies were added.

MS circulated amongst each other cases of suspected fraud bilaterally or by means of the LSC mailing list.

Due to staff shortage, EUD struggled to continue the regular compilation of monthly visa statistics (art. 48.3.a VC) as from 1 January 2014.

### **3.4 Any other initiative taken in LSC**

*none*

## **4. Challenges**

During the reporting period, LSC has not succeeded in convening a third meeting of the joint Schengen-KSA technical working group on visa. In spite of several attempts, the Saudi side remained evasive. Therefore, a number of serious issues with Saudi visa procedures for Schengen citizens could not properly be addressed.

## **5. Other issues**

Contrary to its own legislation, Saudi Arabian procedures for the issuance of visas to business travellers continue being extremely lengthy, cumbersome and unpredictable. Several business delegations from MS had to cancel planned visits because of this. EUD continued pressing the host country's authorities to review their practice.

Saudi Arabia usually only issues single-entry visas, including for business travellers. Saudi Arabia continues to put obstacles to visa applications from women, in particular those under the age of 40. Saudi Arabia does not issue any tourist visas. Saudi Arabian embassies / consulates in MS are increasingly using external service providers which are, in general, inefficient and offer a very

costly service. During the reporting period, Saudi Arabia has started rolling out a system of collecting biometric data (fingerprints) during the visa application procedures.

For the future, LSC is expecting a Saudi Arabian demarche following the upcoming implementation of a visa-free regime for citizens of the United Arab Emirates.

This report has been approved by all MS present by written procedure.



Dakar, 11 April 2014

## **LOCAL SCHENGEN COOPERATION (LSC) in DAKAR, SENEGAL 2013-2014 REPORT<sup>85</sup>**

### **1. Introduction**

- In Dakar, 10 EU Member States are present at Ambassadors' level: Austria, Belgium, France, Germany, Great-Britain, Italy, The Netherlands, Romania, Spain, and Portugal. Luxemburg and (since 2013) the Czech Republic are represented at Chargé d'Affaires-level. Switzerland is present at Ambassadors' level. Sweden, Denmark, Finland, Hungary and Slovakia have (honorary) consulates.
- In 2013, Totals of A, C and LTV visas issued: Austria 468; Belgium 1.241; France 17.371; Germany 1.866; Italy 2.998; The Netherlands 620; Portugal 2.102; Spain 4.223; Switzerland 1.661.
- Spain, Italy and Portugal use external providers ("front office") for visa applications. In March 2014, France outsourced their front office to VFS Global. As Spain uses the same provider already, Spain will join France at the 'Centre Commun de demande de Visa Schengen' in June 2014. The Netherlands is looking into possibilities of joining too.
- Many embassies fulfil a regional role and also represent their country in neighbouring countries, based from Dakar (eg. The Gambia, Cape Verde, Guinea, Guinea-Bissau, Mauritania, Mali).
- This reporting year is the first year in which Schengen visa are no longer issued in The Gambia, as Member States haven't got consular offices with biometric equipment in The Gambia (14 March 2013). Gambians have to travel to Dakar to apply for visa.

### **2. LSC meetings held in 2013-2014**

- 7 meetings were held (16/4/13, 21/5/13, 18/6/13, 30/9/13, 24/1/14, 20/3/14 and 10/4/14); these were well attended with each Schengen Member state present. For a part of the meeting on 24/1/14, the USA, Canada and Turkey were also invited. As most meetings also address other consular issues, Great-Britain is always informed and invited for those common sessions.
- Meetings were chaired by the EU Delegation.

### **3. State of play**

#### **3.1 Application of the Visa Code**

- No specific issues/ problems reported (yet).
- MS request to improve NVIS to include motivation for refusal.

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<sup>85</sup> April 2013 – March 2014

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

- MS present consider that harmonisation of practices is already acquired; incompatibility of systems is voiced as an argument against (further) harmonisation.

### **3.3 Exchange of information**

- The Meeting in March 2014 discussed the statistics provided by HQ (BXL). Explanation needed as many embassies issue visa for neighbouring countries; statistics thus rather incomparable.
- Cases of fraud are shared at each meeting.
- Exchange of information on which cases consists 'emergencies' (a term rather widely used for late applications).

### **3.4 Any other initiative taken in LSC**

None.

## **4. Challenges**

Response to challenges/ subjects listed in 2012-2013 report:

1. VIS/ (political) relation with The Gambia: communication/ information for Gambian citizens was given timely and frequently.
2. We continued our communication on visa (policy/ procedures), including clarification on respective responsibilities (policy: EU, execution: EUMS), both amongst ourselves as with respect to the general public;
3. Increasing number of applications (esp for France), with decreasing HR capacity was solved by externalisation of front office to VFS Global. This Common Visa Centre will also be representing Spain (June 2014) and possibly The Netherlands.

Subjects to be addressed within the next reporting period (2014-2015):

1. (Further) externalisation of application procedures (front office): more possibilities for enhanced EU-cooperation/ burden sharing/ common external agent?
2. Development of a list of questions on the application of the Visa Code in order to exchange best practices (which procedures for visa for diplomatic passports, what 'protocol' for emergencies (late applications) etc).

## **5. Other issues**

None.

*This report was drafted by the EU Delegation in Dakar, and shared with the EU Member States present in Dakar and approved via a silence procedure and a LSC-meeting on 10 April 2014.*





**19/3/2014**

## **LOCAL SCHENGEN COOPERATION (LSC) SERBIA**

### **2013-2014 REPORT<sup>86</sup>**

#### **1. Introduction**

19 States applying common visa policy are represented in Serbia, i.e. 17 Member States (BE, CZ, DK, DE, GR, ES, FR, IT, HU, NL, AT, PL, PT, SI, SK, FI, SE) and 2 associated States (NO, CH).

All the consular and visa offices are sections of the Embassies and are located in the capital Belgrade, HU has also a Consulate General in Subotica.

The 4 MS that yet do not apply the common visa policy but committed to do so (BG, RO, CY, HR) are also present in Belgrade. RO has also two Consulates General in Vrsac and Zajecar, BG has a Consulate General in Nis while HR has a Consulate General in Subotica.

Among States which decided not to apply the visa policy only the UK is represented in Belgrade.

According to Regulation (EC) No 1244/2009 since 19 December 2009 biometric Serbian passports (excluded those issued by the Serbian Coordination Directorate - Koordinaciona uprava, which undertook the competence of issuing passports residents in Kosovo\*) are visa free.

To be noted that some Schengen States issue in Belgrade also visas for residents in Kosovo\*

#### **2. LSC meetings held in 2013-2014**

The EU Delegation to Serbia coordinates the LSC meetings since April 2010. Meetings are regularly organised usually once per semester and prepared by the EU DEL.

In the reporting period the LSC meetings took place on April, 5, 2013 ( meeting attended by 15 States applying the common visa policy and 1 State committed to apply it), November, 19, 2013 (meeting attended by 11 States applying the common visa policy and 2 States committed to apply it) and on March, 19, 2014 (meeting attended by 15 States applying the common visa policy and 1 State committed to apply it).

Reports of LSC meeting were drawn by the EUD, distributed to MS for comments and once cleared circulated again for forwarding to the respective capitals and to DG Home.

Invitations were also sent to locations outside the capital of the countries applying the common visa policy, as well as reports.

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\* this designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence

<sup>86</sup> April 2013– March 2014

Following a revision of the mailing list invitations have been also sent to locations outside the capital of those countries which do not apply the common visa policy yet but committed to do so, and reports equally be shared to them.

### **3. State of play**

#### **3.1 Application of the Visa Code**

According to Regulation (EC) No 1244/2009 since 19 December 2009 biometric Serbian passports (excluded those issued by the Serbian Coordination Directorate - Koordinaciona uprava, which undertook the competence of issuing passports residents in Kosovo\* ) are visa free.

Visas are almost exclusively issued to third country nationals residents in Serbia. To be noted that some Schengen States issue in Belgrade also visas for residents in Kosovo

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

Due to the situation described under 3.1 MS feels no need to harmonize documents at this stage, consider that practices are broadly speaking harmonized and assess that there are no specific risk of visa shopping.

#### **3.3 Exchange of information**

Information is exchanged on monthly statistics. EUD proposed to standardize information shared in accordance with Annex XII of the Schengen visa codex.

See enclosed statistic compiled for 2013, according to the information provided by Schengen states.

EUD also timely exchanged information coming from HQs on amendments to the Visa Code - visa waiver suspension mechanism, new rules for calculating short stays of third-country nationals within the Schengen area, validity of travel documents, table of travel documents

<b>LSC Serbia</b>									
<b>Schengen office</b>	<b>A visas applied for</b>	<b>A visas issued</b>	<b>ME A visas issued</b>	<b>A visas not issued</b>	<b>C visas applied for</b>	<b>C visas issued</b>	<b>ME C visas issued</b>	<b>LTV issued</b>	<b>C visas not issued</b>
<b>2012</b>									
<b>BE</b>	0	0	0	0	34	34	nd	0	6
<b>CZ</b>	0	0	0	0	399	393	173	17	6
<b>DK</b>	0	0	0	0	32	32	12	0	0
<b>DE</b>	1	1	0	0	1889	1828	1814	32	61
<b>GR</b>	0	0	0	0	294	292	291	0	2
<b>ES</b>	0	0	0	0	252	250	22	1	1
<b>FR</b>	1	1	0	0	62	54	15	13	8
<b>IT</b>	0	0	0	0	596	593	540	0	3
<b>HU Belgrade</b>	0	0	0	0	nd	1277	nd	1	15
<b>HU Subotica</b>	0	0	0	0	54	54	16	0	0
<b>NL</b>	0	0	0	0	44	44	nd	0	0
<b>AT</b>	0	0	0	0	293	278	152	20	5
<b>PL</b>	0	0	0	0	85	71	41	0	14
<b>PT</b>	0	0	0	0	26	22	nd	0	4
<b>SI</b>	0	0	0	0	369	346	316	0	23
<b>SK</b>	0	0	0	0	273	39	87	178	56
<b>FI</b>	0	0	0	0	15	15	12	2	0
<b>SE</b>	0	0	0	0	43	42	10	0	0
<b>NO</b>	0	0	0	0	26	21	15	0	5
<b>CH</b>	0	0	0	0-	586	582	450	6	4

### **3.4 Any other initiative taken in LSC**

Since the general assessment of MS is that there is no substantial risk for visa shopping, no further information was exchanged on optional visa fee waivers and on the visa fee charged in local currency.

## **4. Challenges in 2014-2015**

There are no specific challenges related to the application of the provisions of the Visa Code, the main challenges are described under point 5. *infra* and are related to the phenomenon of "fake asylum seekers", which has arisen after the introduction of the visa free regime and is tackled in the framework of the Post Visa Liberalisation Monitoring Mechanism, which is indeed the subject of main interest among Schengen States on the ground.

## **5. Other issues**

The issue of increased numbers of asylum seekers from Serbia to some Schengen MS, the challenges and the measures by both the Serbian authorities and MS are the main point of discussion in LSC meetings.

The 5 countries most affected are BE, CH, DE, LU and SE. Other countries – DK for instance - experienced also at some time an increase of asylum request. The issue is frequently labelled as "fake" asylum seekers, due to the fact that in general the rate of acceptance of the requests is extremely low, if not close to zero, due to the fact that the request of protection is often unfounded and driven only by economic reasons.

One of the measures envisaged to combat the phenomenon is the introduction in the existing Visa Regulation a suspension mechanism which allows, under certain exceptional conditions, for the temporary reintroduction of the visa requirement for third country nationals benefiting from the EU visa waiver

This mechanism is supposed to provide the EU with a tool, to be used in exceptional circumstances, for offsetting any possible serious adverse consequences of visa liberalisation, and in particular the arrival in the EU of a large number of irregular migrants or asylum seekers whose claims are not well-founded.

The new visa-waiver suspension mechanism, included in a set of amendments to the EU visa rules (Regulation 539/2001) entered into force on January, 9, 2014.

The new visa waiver suspension mechanism will contribute to preserving the integrity of the visa liberalisation processes and to build credibility vis-à-vis the citizens. It will allow, under strict conditions and after thorough assessment by the European Commission, for the temporary reintroduction of visa requirements for citizens of third countries.

This mechanism does not target any specific third country or region currently on the visa-free list, but applies equally to all countries that benefit or will benefit from visa-free travel to the EU in the future. The visa suspension mechanism should only be used in exceptional circumstances as a last resort measure. The aim is to address emergency situations caused by the abuse of the visa-free regime by nationals exempted from the visa obligation.

The possibility to trigger such a 'safety brake' is expected to increase the confidence of the EU Member States in the visa governance and future visa liberalisations.

As reiterated at the EU-Western Balkans Ministerial forum on Justice and Home Affairs, the European Commission remains committed to the visa-free travel awarded to the holders of biometric passports from Western Balkans, including Serbia. At the same time, the governments from the five visa exempted Western Balkans countries need to strengthen their actions to prevent further misuse of the visa-free regime for purposes other than the intended short-term travel to the EU, in particular by addressing the push factor.

The present LSC report has been circulated to the LSC Serbia and has been cleared on 19.3.2014



17 April 2014

## **LOCAL SCHENGEN COOPERATION (LSC) in SOUTH KOREA 2013-2014 REPORT<sup>87</sup>**

### **1. Introduction**

20 EU Member States (EUMS) out of 28 are present in the Republic of Korea. Croatia, Cyprus, Estonia, Latvia, Lithuania, Luxembourg, Malta and Slovenia cover Korea from their embassies located in Beijing or Tokyo.

The agreements of representation in consular matters are as follows:

- Austria represents Croatia and Malta,
- Belgium represents Luxembourg,
- Italy represents Slovenia
- Poland represents Estonia,
- Slovakia represents Latvia
- the Embassy of Sweden in Seoul deals with the visa requests that are addressed to Denmark, Iceland and Norway, as part of the agreement of cooperation of the Nordic Council,
- Switzerland represents Liechtenstein.

Finland provided consular services to Estonian nationals in the past. Poland has done the same with nationals from Lithuania.

In all cases that have been reported, the consulates do not use external staff for the reception of visa applications but benefit from local staff as part of their permanent staff.

European communities in Korea are relatively small in volume and count for around 15,000 people. As elsewhere it is not easy to assess the exact number of expatriates in real-time given that consular registration is generally not mandatory. EUMS proceed with their consular work without any particular difficulty. The number of Europeans who are imprisoned in Korea is very low (less than ten people).

The situation remained the same in April 2013-March 2014 compared with the year before.

### **2. LSC meetings held in 2013-2014**

From April 2013 to March 2014, 4 formal coordination meetings were held, on 5 April, 11 October and 15 November 2013, and on 27 January 2014. In addition, the group visited the National Emergency Management Agency on 26 February 2014, which was also the occasion of informal discussions between members.

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<sup>87</sup> April 2013 – March 2014

Coordination meetings are chaired by the local chair. The local chair is designated by common accord by the heads of delegation, during their routine meetings, at the end of semester. On the proposal of the EU Delegation in Korea, HoMs have sought so far to coordinate the local chair with the rotating Presidency of the Council of the EU, for convenience, visibility and in order to facilitate the action of the EU in Korea. Thus Ireland exercised the local chair until end of June 2013 and Greece from July 2013, in the absence of Lithuania (the group follows the provisions of the agreement of the EU Council that governs the rotating Presidency in the third countries where the rotating Presidency lacks diplomatic personnel).

Meeting reports are prepared by the local chair. Participation in these meetings is satisfactory. Among the 20 EUMS that are present in Korea, around 15 participate in our meetings (including the EUMS that have not ratified the agreement and the non-EUMS that have ratified it). Even if some EUMS are more assiduous than others, there is no boycott. Switzerland and Norway attend meetings (Iceland and Liechtenstein do not have diplomatic representations in Korea). The EU Delegation in Korea supports the local chair in its coordination work. All meetings take place at the EU Delegation in Seoul. There is no need to conduct meetings outside Seoul. There was no change in our way of conducting the consular coordination work in April 2013/March 2014 compared with the previous year.

### **3. State of play**

#### **3.1 Application of the Visa Code**

EUMS are well-prepared and trained to conduct their tasks in the framework of consular cooperation under the Schengen Visa Code. The role of the EU Delegation in Korea is limited. The question of its preparation does not appear in the same terms as for the EUMS. It is not foreseen that the EU Delegation in Korea should chair consular coordination meetings. There is a consensus that the local chair does its coordination work in a satisfactory manner and that the state of play should not change.

Some EUMS have relocated their visa processing (e.g.: the requests addressed to the consulate of the Netherlands in Seoul are dealt by the consulate of the Netherlands in Kuala Lumpur).

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

A harmonization work has taken place in the past, which has resulted in a partial harmonisation. The meetings that were organized this year have not shown that it would be unnecessary to reinforce this harmonization, due to the low number of C type visas.

#### **3.3 Exchange of information**

The coordination of the information related to the issue of visas is now made in Brussels. Statistics are then disseminated to all EUMS.

We did not have to deal with the issue of medical travel insurance during the period.

In case of fraud, EUMS communicate well with each other and exchange information and experience.

The cooperation was perfect with Korea on travel documents issued by the host country. EUMS consuls who are present in Seoul and the EU Delegation in Korea are also in contact with consular authorities and EUMS who are present in North Korea through the 7 EUMS embassies that are present in Pyongyang. 11 EUMS that are present in Seoul are also accredited to Pyongyang. The EU as such does not have a representation office in Pyongyang. EUMS represent the EU on a rotation basis.

EUMS and the EU delegation in Korea have a satisfactory relationship with the Korean authorities, the Ministry of Foreign Affairs on the one hand, the Ministry of Justice and the Korean Immigration Service (KIS) on the other hand. These authorities respond quickly to questions we may ask them and invite us to their annual meeting, in which they present their latest innovations on consular matters and update us on their policies on immigration. They respond favourably to our requests for field visits and are always eager to develop contacts with us.

### **3.4 Any other initiative taken in LSC**

The Group was absorbed by DPRK's rhetoric in April 2013, such as threats of nuclear war. This led to a rise of tensions on the Korean peninsula. Four points are particularly noteworthy:

- Numerous consultations were held by phone and e-mail between members of the group. It appeared quickly essential to exchange information on our understanding of the security situation and to envisage possible developments,
- Members exchanged the updates of their travel recommendations. This concerned both the recommendations to travel to DPRK and to travel to the ROK: The recommendations to go to DPRK were strengthened during the period of tension (but went back to normality short after the crisis ended). Those relating to South Korea were not modified, which contributed to keep the situation under control (two embassies of third countries located in Asia were faced with difficulties after issuing statements that were diversely interpreted),
- We updated the contingency plans and the emergency plans of EUMS and of the Delegation in the light of the risks involved by the latest developments of the strong rhetoric by DPRK,
- We strengthened the relations of the group with the consular services of the 8 EUMS (including Croatia, an acceding country at that time) that were not present in Seoul but used to cover the ROK from their embassies in Tokyo or Beijing. They were asking for updated information about the security situation in Korea that they would eventually forward to their nationals.

This year saw a development in our relations with the US embassy/US consulate general based in Seoul:

- On 3 May 2013, the Consul general at the US embassy asked to meet the representative of the EU Delegation who follows consular issues. The latter asked that the local chair be also invited to this meeting. This gave room to an exchange of ideas and discussion on our good practices in terms of evacuation plan, emergency guidelines and crisis management.
- On 19 June 2013, the US embassy in Seoul invited the representative of the EU Delegation who follows consular issues and, at the request of the latter, the local chair, to attend a "consular wide crisis management training". Through such trainings, the US embassy engages with consuls from like-minded countries and other partners with whom they have close contacts. It was the first time that EU Delegation in Korea and the local chair were invited as such to attend this training. The timing of this training was all the more appropriate as embassies in Seoul had been faced with unprecedented rhetoric by DPRK in spring 2013, which had led to intense coordination work among themselves. The training took the form of a debriefing after the "crisis" and a representative



from the US Foreign Service Institute / National Foreign Affairs Training Centre / Leadership & Management School made a presentation on crisis management. This meeting showed a common approach between the EU and the US in the field of consular affairs and consular coordination. It showed also that all of us were well prepared for any case of emergency.

The French embassy organized a working session on document fraud (passports, ID cards, residence permits, etc.) on 10 April 2013 in the premises of the French embassy. It invited all consuls from EUMS and the EU Delegation to attend this information session. This was part of a contract financed by the European Commission.

#### **4. Challenges**

For the 2014-2015, challenges can be presented as follows:

- Each EUMS and EU Del Korea to continue updating their contingency and emergency plans;
- To conduct a reflection on how to improve coordination work between members of the group, by taking as a benchmark the work that was done in Japan under the lead of EU Del Japan in the wake of the triple Fukushima 2011 disaster;
- To strengthen the links among the members of the group on the one hand, and between the members of the group and the Korean authorities on the other hand (MOFA, Ministry of Justice, Korean Immigration Service) on crisis management and on the definition of emergency plans.



## EUROPEAN UNION

Delegation of the European Union to the Democratic Socialist Republic of Sri Lanka and for the Republic of Maldives

### Local Schengen Cooperation (LSC)

Colombo, 30 May 2014

RL D (2014) 00

## LOCAL SCHENGEN COOPERATION (LSC) SRI LANKA 2013-2014 REPORT<sup>88</sup>

### 1. Introduction

There are six Schengen diplomatic missions in Colombo (FR,DE,IT,NL,NO,CH) all of which provide representation for both Sri Lanka and the Maldives and they all process visa applications. All process visa applications on behalf of other Schengen Member States as well. Five missions (FR,DE,IT,NO,CH) make use of the services of an external service provider VFS Global Lanka Pvt Ltd for the collection of applications. VFS has established a "Joint Schengen Visa Application Centre".

DE and CH started this year, a common visa application collection service in Jaffna as well, using the services of VFS Global Lanka Pvt.Ltd.

<i>Mission</i>	<i>FR</i>	<i>DE</i>	<i>IT</i>	<i>NL</i>	<i>NO</i>	<i>CH</i>
<i>Members States</i>	<i>FR, ES,PT, CZ,</i>	<i>DE,AT, HU,EE,LV</i>	<i>IT, MT</i>	<i>NL,BE,LU, PL,SI</i>	<i>NO,SE, DK,FI,IS</i>	<i>CH</i>
<i>Service Provider</i>	<i>VFS Global Lanka Pvt LTD</i>	<i>VFS Global Lanka Pvt LTD</i>	<i>VFS Global Lanka Pvt LTD</i>	<i>No outsourcing</i>	<i>VFS Global Lanka Pvt LTD</i>	<i>VFS Global Lanka Pvt LTD</i>

### 2. LSC meetings held in 2013-2014

Three regular LSC meetings were held in the EU Delegation premises in Colombo, Sri Lanka (3 April 2013, 2 October 2013 and 20 March 2014) during the reporting period (1 April 2013 to 31 March 2014). All three LSC meetings were chaired by the EU. UK and RO were invited to attend the meetings as observers like in the previous years. A special LSC meeting was held on 10 May 2013 to provide amendments to the visa code.

<sup>88</sup> April 2013 – March 2014

The EU Delegations main role in the LSC has been, to Chair these meetings, facilitate the discussions and draft and distribute the minutes and provide any other support requested by the Missions. The cooperation from and among the Missions is extremely good and all LSC activities and tasks are carried out on a burden- sharing basis.

According to some of the LSC members they intend to share this common report with their headquarters.

### **3. State of play**

#### **3.1 Application of the Visa Code**

The Missions in Colombo provided several inputs (in compliance with the request of EU headquarters) for the revision of the visa code which took place during this reporting period.

The Schengen missions and the EU Delegation continued to show full preparedness to ensure the smooth running of tasks to be carried out in LSC under the Visa Code. The Schengen missions in Colombo are fully implementing the visa code.

Some of the difficulties encountered in implementing the visa code included: While some missions are satisfied with the collection services provided by the common local service provider others were not fully satisfied with their service, but were forced to continue with them due to the lack of alternative service providers; there were concerns that the service provider collecting applications in the newly established centre in Jaffna was charging more than what is being charged in Colombo; there were incidents of different missions being approached by the same visa seekers for the same trip (visa shopping) thus requiring cross checking which further burdened the tasks of the visa officers in the missions; assessing the genuineness of visa requests for medical travel was also a time consuming task for the visa officers; Some visa officers encountered problems of visa rackets through marriage (locals showing documentation that they were married EU citizens) which also required considerable verification by the missions to determine the genuineness of such visa requests.

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

The Schengen missions in Sri Lanka have confirmed that they are all using the harmonized list of support documents.

#### **3.3 Exchange of information**

Schengen missions continue to exchange information on the following:

##### Statistics

Schengen missions continued to compile monthly and quarterly statistics which were then consolidated by the EU Delegation and discussions on the main trends were done periodically during this reporting period.

##### Travel Medical Insurance (TMI's)

Upon the suggestion of a mission the local service provider VFS was asked to provide as an optional service, a travel insurance service at the Joint Schengen Visa Application Centre. This

service is expected to be available soon. CH felt that this would give the chosen insurance company a monopoly, which was not acceptable.

#### Service providers

Schengen missions continued to exchange information on their experiences with the common service provider the VFS Global Lanka Pvt Ltd which continued to run the dedicated "Joint Schengen Visa Application Centre".

#### List of contacts

A list of relevant contacts were regularly updated by the Schengen missions

#### Data sharing

Schengen missions continued to consult each other and exchanged information on issues regarding individual applications when required during this reporting period.

### **3.4 Any other initiative taken in LSC**

Schengen missions were happy to keep open the option of visa officers visiting each others missions to share information and experience, which have allowed the missions to better understand the differences in practices and have also helped in identifying best practices which have further helped in the harmonization exercise.

## **4. Challenges**

Identifying the genuineness of some of the visa requests continued to be the challenge during this reporting period, however to a large extent the missions were able to mitigate such risks by close consultation and coordinating with each other.

Some of the contracts of the Missions with the common service provider VFS Global Lanka Pvt Ltd would be coming to an end soon and some Missions may have to call for new tenders. This could result in different service providers providing visa services to different Schengen missions. Such a change at least in the initial stages could result in differentiated quality of service for the same visa (Schengen Visa) as there is a risk that the new service providers may not have the necessary experience to offer the same level of service. Interestingly two years back one of the main challenges mentioned in the LSC annual report was the setting up of a "Joint Schengen Visa Application Centre" which was eventually achieved with the setting up of such a centre by VFS Global Lanka Pvt Ltd, now there is a risk that this achievement may be compromised, and therefore avoiding such a reversal of concept could become the challenge for the next reporting period 2014/2015.

## **5. Other issues**

*None*

## **LOCAL SCHENGEN COOPERATION (LSC) in SUDAN 2013-2014 REPORT<sup>89</sup>**

### **4. Introduction**

#### **5.**

The German Embassy was able to resume its consular activities in September 2013 (the Embassy premises were stormed in September 2012).

Nine Schengen Member States are represented in Khartoum: France, Germany, Greece, Italy, the Netherlands, Norway, Spain, Sweden and Switzerland.

Due to this limited number, the following arrangements are in place:

- The Netherlands are representing Belgium and Luxemburg;
- Germany is representing Austria and Hungary.
- France represents Portugal;
- Norway represents Denmark, Iceland and Sweden.
- Italy represents Malta and Slovenia

There is no use of external service providers for collection of application.

### **6. LSC meetings held in 2013-2014**

Meetings were organized on average every four months. It was not necessary to organize ad hoc meetings.

Two meetings were organized and chaired by a member State, one was organized and chaired by the EU Delegation.

MS share the common report with their capital.

Generally speaking, meetings are well attended by a majority of Member States.

### **7. State of play**

#### **3.1 Application of the Visa Code**

All Schengen Member States are implementing Visa Code provisions. Regarding the tariffs, there are some minor differences due to technical reasons (each MS is using its own exchange rate). The difference in rates does not affect the application flows, which is a positive point.

It should be mentioned that Sudanese passports are on the list of compulsory checks by Member States. This has a little impact on the delay for issuing visas, but the delays are not abnormally long (15 days is a maximum on average). Some MS process their visas through regional hubs but still within the delays.

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<sup>89</sup> April 2013 – March 2014

Two EU MS don't recognize Sudanese passports as valid travel documents. As a result, some "limited" Schengen visas are issued by several Member States in Khartoum.

The VIS is now implemented by MS. One of them is facing some technical issues. The capital concerned is informed.

Visa requests from Eritrean citizens still account still for significant proportion of total requests and are still a concern regarding the proportion of faked documents submitted. However, the number of requests is slightly decreasing.

The number of different names for a Sudanese citizen remains a source of concern as one person can submit different applications under several identities..

Generally speaking the number of visas and refusals (between 5% and 35%) remained stable during the period.

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

MS present consider that harmonisation of practices is already acquired

### **3.3 Exchange of information**

The cooperation and the exchange of information between MS and with the EU Delegation remain excellent. Statistics, cases of fraud and other issues are the subject or regular sharing.

Travel medical insurances available in Sudan are at the level of the requirements of the Visa Code.

### **3.4 Any other initiative taken in LSC**

N/A

## **4. Challenges**

N/A

## **5. Other issues**

N/A



23/05/2014

## **LOCAL SCHENGEN COOPERATION (LSC) in Taiwan 2013-2014 REPORT<sup>90</sup>**

### **1. Introduction**

*There are 16 Schengen MS offices in Taipei (AT, BE, CZ, DE, DK, ES, FI, FR, HU, IT, LU, NL, PL, SK, SE, CH). FI does not issue visa, LU is represented by BE, SE is represented by DE, Iceland and Norway by DK.*

*Taiwan passport holders benefit from visa-free access to the Schengen area, meaning that the Schengen activity is limited in Taipei to non-Taiwanese passport holders, altogether in very limited quantities. MS visa activity is thus essentially concentrated on national visa questions.*

### **2. LSC meetings held in 2013-2014**

*EU Office is chairing the LSC meeting. LSC meeting and local meeting staff took place in October 2013. Meeting are always well attended. Reports are prepared by EU Office. As approved by EU Office and MS, meeting is held once in a period of six to twelve month.*

### **3. State of play**

#### **3.1 Application of the Visa Code**

*No major problem*

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

*Supporting documents needed by Taiwan passport holders at the border are harmonised and the list is published through a collective Q&A, available on-line on EU Office and MS website.*

#### **3.3 Exchange of information**

*A Schengen Manual for EU MS offices in Taipei has been prepared to provide background information on local practices. It has been updated by EUD in October 2013*

*EUD is responsible for collecting MS visa statistics (both Schengen visas for third-country nationals residing in Taiwan and long term visas) on a quarterly basis.*

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<sup>90</sup> April 2013 – March 2014

*A list of trusted TMI companies is included in the Schengen manual. Cases of fraud reported by MS have always been very limited.*

### **3.4 Any other initiative taken in LSC**

*No recent initiative necessary, but collective public Q&A is kept up to date.*

## **4. Challenges**

*Relatively routine subjects arise and will continue to be dealt with. The next Schengen meeting will again be held in two parts – one, in Chinese, for local agents, and one for visa officers.*

## **5. Other issues**

*None.*





**EUROPEAN UNION**

DELEGATION TO THE REPUBLIC OF TAJIKISTAN

Head of Delegation

Dushanbe, 28 May 2014

## **LOCAL SCHENGEN COOPERATION (LSC) Tajikistan 2013-2014 REPORT<sup>91</sup>**

### **1. Introduction**

In Tajikistan three Member States, Germany, France and the United Kingdom have their Embassies on the ground. Two of them, namely Germany and the UK, have their consulates present here and implement consular activities. Citizens of the Republic of Ireland are also covered by the British Embassy Dushanbe. Germany – the only country issuing Schengen visas in Tajikistan - represents 13 Schengen states (Belgium, Denmark, Finland, France, Greece, Italy, Luxembourg, Netherlands, Norway, Austria, Portugal, Sweden and Spain).

In 2013 an honorary consul of Sweden started his activity in Dushanbe. Swedish citizens are registered with him.

### **2. LSC meetings held in 2013-2014**

In 2013 well-attended meetings were organised on ad-hoc basis, discussing issues of common concern and interest.

A topical issue of the period was how to implement the Guidelines of EU Human Rights Defenders in individual cases of active human rights defenders who are in imminent danger (threatened by officials, harassed by police) – in the consequence of their human rights activity, i.e. how to issue them Schengen visa and assist them to leave the country in case of necessity. The Guidelines speaks about emergency cases which need to be harmonized with Schengen regulations. The German embassy contacted Berlin about instructions how to bring the recommendations of the Guidelines into consular operation. In January 2013 we had an urgency case communicated to the German embassy.

Consular issues were also discussed during the bi-monthly EU Heads of Mission meetings.

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<sup>91</sup> April 2013 – March 2014

### 3. State of play

#### 3.1 Application/Revision of the Visa Code

The Visa Code is fully applied.

*Local Circumstances in Visa Issues:* The visa code is fully applied; all applications must contain the documentation named in the Visa Code. Besides, the circumstances regarding falsifications of documents and issuance of false documents are a constant issue for the German visa section. Regrettably, through lack of the co-operation of the Tajik authorities no German officer checks anymore the travel documents and visas of the passengers going to Frankfurt by the once-a-week direct flight to Frankfurt of the Somon Air, a local airlines, at the check-point in the Dushanbe International Airport. Notwithstanding, his work would be – or rather is - regarded as of considerable importance to hamstring illegal immigration.

It is a unique feature of and great advantage for us here in Tajikistan that we only have one Schengen visa section (Embassy of Germany - which, albeit, does not cover the whole Schengen area) thus we are in the position to pursue one single visa policy – consequently, the problem of "visa shopping", which arises in many other places and which also derives from the very different visa policies of the member states, does not exist in Tajikistan.

Germany is the only EU mission in TJK which issues Schengen visa. The practise of the Embassy is as follows: visa fees are charged according to Art. 16 of the Visa Code (EU Regulation 810/2009 as of 13.07.2009). The optional free-of-charge visas are named in section 5. They are applied for bearers of diplomatic passports and applicants who are invited by state-funded programmes, as well as for applicants travelling on behalf of inter-governmental/supra-governmental organizations (UN, EU, IAEA, OECD, etc.), as well as for direct family members of EU citizens.

The addition of biometric data to the Schengen visa was implemented on 14 November 2013. Unexpectedly the introduction of the new system led to long debates with the Tajik authorities, which seems to be fixed just in April 2014. Since January 2014 the Tajik Ministry of Foreign Affairs has been requesting diplomatic staff of the Delegation of the European Union to appear personally at the Ministry of Foreign Affairs, when they need to extend their visa. In our opinion, given the number of the staff (11 people), their spouses and their children the new procedure will entail numerous visits per annum resulting in a waste of a huge amount of working hours and manpower spent for this aim. Given that the activity of the European Union's Delegation in Tajikistan is mainly bilateral assistance it means that it hampers the efficient functioning of the Delegation – which is in the interest of neither party.

As the Tajik side explained, following the installation of the finger print system at the German Embassy in Dushanbe (14 November 2013) their diplomats are expected to apply personally and many of them have to pay for the visa in spite of the fact that they travel with diplomatic passport and the Tajik party does not collect fee for diplomatic visa. The new Tajik procedure is an adoption of the reciprocity principle to the Schengen procedure regarded as aggrieved by the Tajik side.

The European Union's Delegation had extensive discussion with the Embassy of Germany in Dushanbe about the issue and told the result to the Tajik party, namely that one cannot set hopes on being able to change the overall regulations on bilateral basis in one country regarding the finger print system as a requirement of the new biometric Schengen visa accepted by all the member countries of the Schengen zone. Consequently, EU DEL in Dushanbe understands and can accept

that as a reciprocity measure the European Delegation staff obtaining their Tajik first visa should be shown personally in the Tajik Embassy in Brussels.

The European Union's Delegation pointed out that the personal appearance was made necessary by the world-wide introduction of the fingerprint system in the Schengen zone. It is not directed against the Republic of Tajikistan. As a mutuality principle, in fact, it would have been made necessary merely after introducing similar fingerprint system in Tajikistan which may occur in the future but not from 14 January 2014 onwards.

The European Union's Delegation was assured by the German party that Tajik diplomats travelling to work at the Tajik Embassy in Berlin or to official visit continue to be exempted from the visa fee. The visa fee has been applied just for those who intend to travel with diplomatic passport without official reason supported by a Note Verbal of the Ministry of Foreign Affairs.

The European Union's Delegation reminded the practice of German Federal Republic concerning visas for Tajik citizens with diplomatic passports:

(1) Diplomats going to work at the Tajik Embassy in Berlin: national visa is issued for 90 days because they will obtain residence permit for 4 years. Free of charge.

(2) Officials of the Ministry of Foreign Affairs and other Ministries travelling officially: visa free of charge. This implies also for the family members with diplomatic passport of the diplomats serving in Germany.

(3) Owners of diplomatic passport travelling with no official aim (private business, tourism etc.): visa - charged. Nevertheless, even from those travelers the German Embassy does not require health insurance.

For a tourist visa, even if it issued for a relative the Tajik party collects visa fee – as practiced by the German Embassy.

Consequently, according to the stance of the European Union's Delegation in Dushanbe:

(1) In the judgment of the European Union's Delegation in Dushanbe, the Tajik action is not based on the reciprocity principle. It afflicts those Schengen citizens with diplomatic passport (i.e. Laissez-passer of the European Union) working officially as diplomats at the European Union's Delegation in Tajikistan who intend to prolong their visas – all of them have already a Tajik visa issued mainly in Brussels while:

(2) The Tajik diplomats obtain a residence permit ("Protokollausweis") for 4 years. By the official request of the Tajik Embassy in Berlin (Note Verbal) it can be prolonged for another 2 years; thereafter it should be prolonged every year.

(3) In Berlin no Tajik diplomat is obliged to apply personally for the prolongation of his/her official visa while, according to the new regulations, European Union's Delegation staff in Dushanbe is compelled to visit the Ministry of Foreign Affairs every year with their families.

(4) Mutuality principle would require from the Tajik party to extend the visa (resident permit) for 4 years – and not just for 1 year which burdens heavily both the European Union's Delegation's and the Tajik party's administration.

(5) Reciprocity principle should require that the European Union's Delegation staff should appear once at the Tajik Embassy in Brussels when applying for the visa. Nevertheless, through lack of fingerprint system in the Tajik system of issuing a visa, even this is not really justified by technical requirements at the moment apart from the mentioned mutuality principle.

On the other side, on 26 February 2014 the Assistant of the Ambassador Valya Tashkova was called to the Consular Department of Tajik MFA for interview in order to obtain a 1-year multiply entry visa. She was asked few questions about her position and term-of-office. The post is not a new one, has been existing from the establishment of the European Union Delegation to Dushanbe, so it is quite baffling why the interview was necessary especially considering that she is a Bulgarian citizen, not even a member of the Schengen zone - so in her case mutuality cannot be the reason to be summoned.

Also there is a problem with obtaining the permission to GBAO. Before it was automatically given upon the prolongation of the visa. Some of our expats did not yet obtain permission to GBAO). In the consular department the consular employee asked over and over again to remake the Note Verbal to produce a newer and a newer one (instead of giving a list of requirements all at once). After this Note Verbal for the Consular Department, they asked verbally for a new Note Verbal with full details of project activity and specifying the role of a colleague in the project which is implemented in GBAO. At the same time other colleagues obtained Tajik visa and permission to GBAO without any obstacles and interview.

Based on the reciprocity principle the European Union's Delegation in Tajikistan requested the Ministry of Foreign Affairs in Tajikistan to return to the previous practice as regards the (non-) appearance at the Ministry of Foreign Affairs when prolonging the visas and asked for extending the visas of the staff of the Delegation for 4 years.

We kept the discussion on the level with the Consular department of the MoFA. Judging from the visa procedure in April – touch wood! – the problem has been fixed. Last month nobody was asked to go for interview.

Citizens of the Russian Federation, of Bosnia and Herzegovina, Ukraine, Moldavia and Albania have to pay only 35,-€ due to special visa agreements. The visa fees are to be paid in Euros (cash), the Embassy does not accept any other currency.

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

Since in Tajikistan only one MS issuing Schengen visas is present the issue of harmonisation of practises is not applicable.

### **3.3 Exchange of information**

The exchange of information does exist between the EU MS and EU Delegation - based on concrete and relevant issues. As only Germany issues Schengen visas, the present degree of information exchange is sufficient.

### **3.4 Any other initiative taken in LSC**

- Common information sheet

All information regarding German national and Schengen visas can be found on the internet site of the German Embassy and as paper prints in the visa section.

From 2013 on Schengen states' citizens have been registered with the EU citizens' list at the German Embassy – including the staff of the EU DEL - in anticipation of cases when the national passport get lost/stolen/destroyed in order to ensure to issue an emergency travel document which would make it possible to return to the country of origin (or Belgium/EU headquarters).

In 2012 the German Embassy's Consular Section started issuing a "Consular Newsletter", a general information instrument, which is meant for the EU citizens in Tajikistan, regardless of their purpose of their stay abroad. The German Consul informed the EU citizens registered with the German Embassy about the EU regulation "Rome III" (concerning regulations which national legislation is applicable in case of divorce when a citizen of a treaty member state resides outside of his home country). The Embassy of Germany continues this newsletter, which is more than emergency information.

Citizens of France and the UK should register with their own Embassies.

#### **4. Challenges**

With growing exchange of travellers between Tajikistan and the Schengen Area the challenge for the upcoming years would be ensuring and improving information flow between the EU MS and EU Delegation. Exchange of relevant information has become a routine as shown by the urgency case mentioned above.

At present EUDEL cooperates with FR and DE in case of evacuation and crisis management, respectively. The development of further responses is well under process.

13 March 2014

## **LOCAL SCHENGEN COOPERATION (LSC) IN TANZANIA 2013-2014 REPORT<sup>92</sup>**

### **1. Introduction**

A local LSC has been established in 2013, in relation to the introduction of the VIS in the region.

The following resident diplomatic missions are represented in the LSC: Belgium, Denmark (represented through Sweden), Finland, France, Germany, Italy, Netherlands, Norway, Spain, Sweden, Switzerland. There are no visa-issuing consulates outside the capital in Tanzania.

### **2. LSC meetings held in 2013-2014**

Three relatively well attended meetings were held in 2013, though some members have indicated capacity constraints to be present at all meetings and response to inquiries has not been consistently swift between the members. This has led to some delays in the work on harmonisation of supporting documents. One well attended meeting was held in 2014, to this date.

The meetings are chaired by the EU Delegation (Head of Political Section). There is no co-chair. There have been no ad hoc meetings.

The meetings have been minuted and shared with Member States locally.

### **3. State of play**

#### **3.1 Application of the Visa Code**

Overall, no major problems have been reported with regard to the implementation of the Visa Code. Ongoing work regarding the harmonisation of supporting documents for Schengen visas, may provide a clearer picture in this regard. Overall the LSC members are actively contributing to the work of the LSC.

One issue of concern relates to the exemptions for fingerprinting under the VIS, notably in relation to Members of the Government of Zanzibar. Zanzibar has a unique status within the United

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<sup>92</sup> April 2013 – March 2014

Republic. In at least one instance a Schengen member has issued a national visa to overcome this problem.

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

Work is on-going : an inventory has been made of all requirements per category for the respective members. A first round of verification has taken place and the list is now being revised and a proposed draft list is being prepared for further discussion. This will be the main focus of activity during 2014.

### **3.3 Exchange of information**

The establishment of a Schengen network has allowed for occasional exchanges on practical issues. There is no systemic exchange of information on statistics but information on rejected applications is being exchanged through the network. The LSC has also collected and shared information of TMIs that are currently being used. This matter will be further discussed at a later meeting.

### **3.4 Any other initiative taken in LSC**

The LSC has made a presentation on Schengen to the Department of Immigration of the Ministry of Home Affairs, and to other Government Departments, as a follow-up to the EU-Tanzania dialogue on migration.

## **4. Challenges**

Consistent response by all Members of the LSC will be essential in order to take the task to harmonise supporting documents forward.

## **5. Other issues**

There are no further issues.



## **LOCAL SCHENGEN COOPERATION (LSC) – Bangkok 2013 REPORT**

### **1. Introduction**

In 2013, the number of Schengen embassies and consulates remained unchanged in Thailand. In total, there were nineteen Schengen embassies represented in Bangkok, namely Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Luxembourg, The Netherlands, Norway, Poland, Portugal, Slovakia, Spain, Sweden and Switzerland.

During the reported period, Schengen embassies issued 194 624 C type visas. The amount continues to rise, with 187 344 applications in 2012, 170 613 in 2011 and 157 998 in 2010.

As mentioned in previous reports, a growing number of Schengen embassies have had to outsource their visa application processing services to private companies in order to cope with the increasing number of visa applications. Currently VFS Global processes visa applications for Denmark, Sweden, Norway, The Netherlands, Belgium, Italy and Spain while TLS Contact manages for France and Switzerland.

The introduction of the VIS system moreover caused a change in the way visa applications are handled. Some Member States experienced a strong increase in workload.

### **2. LSC meetings held in 2013**

Within the year of 2013, a total of eight LSC meetings were held. Three of those were ad hoc, thematic meetings; one on the introduction of VIS and two on harmonisation of supporting documents for visa applications. All these meetings were well attended and participants of the meetings were active and cooperative.

### **3. State of play**

#### **3.1 Application of the Visa Code**

The Visa Code is applied according to the regulations. No major deficiencies or problems were noted.

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

Harmonisation of supporting documents has been the primary topic of many of the meetings since



September 2013. Because of the large amount of EUMS Missions here in Bangkok and the difference in their respective application volumes, it has been difficult to reach agreement; some Member States cannot physically process a large amount of documents per visa application, whereas others insist on it, especially considering the existence of extensive human trafficking activities. The draft document is to be submitted soon.

### **3.3 Exchange of information**

During 2013 LSC meetings, exchanges of information on a range of issues took place including topics concerning trends and incidents of fraudulent/suspicious behaviour, updates on local travel medical insurance companies and exchange of knowledge and acquaintances on specific travel agents among others. Furthermore, participants actively and frequently exchange emails informing each other of fraudulent/suspicious activities committed by particular individuals or travel agents as well as circulate the monthly visa statistics.

## **4. Challenges in 2014**

The Royal Thai Government continues on a political level to lobby for visa-free travel for its citizens to Europe, but no steps have yet been taken on an expert level to increase document safety in Thailand.

## **5. Other issues**

N/A.



EUROPEAN UNION

DELEGATION OF THE EUROPEAN UNION TO TURKEY

Ankara, 29 of August 2014

## LOCAL SCHENGEN COOPERATION TURKEY 2013-2014 REPORT<sup>93</sup>

### 1. Introduction

The reporting period of this report relates to the period from April 2013 till March 2014 and covers all locations in Turkey where Schengen countries issue visas: Ankara, Istanbul, Edirne and Izmir.

The representation by Member States remained the same<sup>94</sup>. On the 1<sup>st</sup> of November 2013 Switzerland stopped processing visas in Ankara, and all visa applications for Switzerland are now processed in Istanbul.

New outsourcing agreements have entered into force for the Netherlands (Ankara, Istanbul) and Germany (Ankara, Istanbul and Izmir).

Turkish citizens also have the possibility to apply for a visa in locations other than Ankara, Istanbul, Edirne and Izmir, such as Bursa, Gaziantep and Antalya for Italy and Germany.

This report has been drafted by the EU delegation with the very active support of Ms Ana Luisa RIQUITO (Secretary of Embassy and Head of the Consular Section) from the Portuguese embassy and Ms Marcella ZACCAGNINO, First Secretary of the Italian embassy.

### 2. LSC meetings held in 2013-2014

The meetings were generally well attended. Occasionally a few MS were missing, but the average attendance of the Schengen countries was:

- **In general:** 78,75%
- **In Ankara:** 71%,
- **In Istanbul:** 86,5%

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<sup>93</sup> April 2013 – March 2014

<sup>94</sup> **In Ankara:** Belgium, Czech Republic, Denmark, Germany, Estonia, Greece, Spain, France, Italy, Latvia, Lithuania, Luxembourg, Hungary, Netherlands, Austria, Poland, Portugal, Slovenia, Slovakia, Finland, Sweden, Norway, and Switzerland (totally 23 Schengen countries).

**In Istanbul:** Belgium, Czech Republic, Denmark, Germany, Greece, Spain, France, Italy, Hungary, Malta, Netherlands, Austria, Poland, Slovakia, Sweden, and Switzerland. Finland is represented by a honorary consul, a Finnish citizen tasked to collect visa applications and to participate in LSC. (Totally 17 Schengen countries).

**In Izmir:** Germany, Greece and Italy (3).

**In Edirne:** Greece (and Bulgaria).

The participation of Bulgaria, Romania and Croatia is not included in these figures; all three countries have always been invited and have participated frequently. Non-Schengen Member States Ireland and the United Kingdom equally attended as observers at most meetings.

- 9<sup>th</sup> of April 2013, LSC meeting in Istanbul.
- 29 June in Ankara
- 17<sup>th</sup> of September 2013 a donor coordination meeting (Migration, Borders) was held at the UK Embassy. Present: EUD, UK, Sweden, Switzerland, France, Hungaria, Greece, Bulgaria, Netherlands.
- 24<sup>th</sup> of September 2013, LSC meeting in Istanbul.
- 1<sup>st</sup> of October 2013, LSC meeting in Ankara.
- 13<sup>th</sup> of November 2013, LSC meeting in Istanbul.
- 27<sup>th</sup> of November 2013, LSC meeting in Ankara.
- 16<sup>th</sup> of December 2013, Commissioner Anna Cecilia Malmström and European Commission DG HOME Director Manservisi debriefed the EU missions in Ankara about the opening of the Visa liberalization dialog and the Readmission agreement.
- 22<sup>nd</sup> of January 2014, LSC meeting in Ankara.
- 28<sup>th</sup> of January 2014, LSC meeting in Istanbul.

During the reporting period, a total of 8 meetings related to the LSC network were held: 4 in Ankara and 4 in Istanbul.

The EUD included Edirne and Izmir MS representations into the mailing lists and equally shared the minutes of LSC meetings and the statistics with all Schengen consulate locations in Turkey. Schengen MS consulate staffs in other locations are free to participate in the LSC meetings organized in Ankara and/or Istanbul.

Reports/minutes were drawn up by the EUD. The MS have been encouraged to share the LSC meeting minutes with their central authorities. In an effort to ensure transparency, all minutes were shared with all LSC locations in Turkey.

Lithuania as rotating Presidency in the second semester of 2013 and Greece in the first semester 2014 have had a constructive approach in both major locations.

Specific meetings were held on LSC's public policy development, notably aiming at explaining the Schengen visa system to the wider public in a more comprehensive manner and to specifically target businessmen associations and local chambers of commerce in different locations throughout Turkey (see detailed description under section 3.4. Any other initiatives).

### **3. State of play**

#### ***3.1 Application of the Visa Code – April 2013-March 2014***

Given the importance and the recent EU-Turkey developments, the LSC is considered an important platform to discuss and to harmonise MS practises. Within several discussions among the MS it turned out that there are different interpretations and approaches in implementing the EU-Visa Code and the Handbook for the processing of visa applications and the modification of issued visas. These discrepancies mostly relate to the issuance of multiple-entry visas and the determination of *bona fide* applicants, with the practice of several Embassies/Consulates to sign local “facilitation”

agreements with chambers of commerce and similar structures, aimed at reducing the amount of supporting document needed for business visa applications.

Therefore the EUD offered to conduct a study – named "LSC-Turkey 2014" – to highlight the discrepancies in terms of a harmonised approach. The study will be carried out by the SNE Jörg Dieter Köstinger. The study is at the stage of merging the answers from the interview with the answers of the online questioner. Single Results are already available. The whole study is expected to be finished by end of the year.

### **3.2 *Assessment of the need to harmonise the lists of supporting documents***

A full comparative assessment of the harmonised lists of supporting documents for Turkey seems to be necessary, in particular with regard to flight / travel reservations or other proof of transport/accommodation and evidence of hotel bookings.

This kind of study will be part of the study "LSC-Turkey 2014".

### **3.3. *Exchange of information***

Monthly statistics have been collected by each MS consulate/embassy location. There are comprehensive monthly statistics since 2010, allowing the EUD and the MS to carry out monthly and yearly comparisons and analyses at local level.

Several information requests have been circulated among the LSC, aiming at better coordination and harmonization of practices. Information on fraudulent visa requests has also been regularly shared, with the aim of preventing illegal migration.

Also for the current reporting period, a regular information exchange on different methods of handling visa requests from Syrian nationals at MS' embassies in Turkey took place within the LSC platform, also including the exchange of statistics relating to both visa and asylum requests by Syrian nationals.

The validity of insurances subscribed by third country nationals without valid Turkish residence permit were equally addressed within LSC and later in the year a clarification by the Turkish Ministry of Finance was made sent to clarify this question.

LSC took note of the Greek pilot project with short stay visas from Aegean coastal areas to seven selected Greek islands, simplifying entry procedures during the summer season

LSC took note of NL and DE practices in relation to service providers and independent businesspersons, following the court ruling in the Soysal case.

LSC also exchanged information on the MS practices concerning the transmission of data from Schengen visa application files at the request of Turkish authorities, notably on the need to use the judicial cooperation mechanisms for that purpose.

Besides taking notice of Member States bilateral resettlement programs for Syrian refugees, LSC addressed regularly several aspects of the impact of the Syrian refugee crisis in the Schengen visa practice in Turkey, notably on: i) how family reunion is being interpreted and applied in "Syrian cases"; ii) in what circumstances Member States are resorting to "visas with limited territorial validity" in this context; iii) how to assess documents presented by Syrian nationals in support of their visa request; iv) the impact of "usurpation of identity documents" (*look alike cases*) in the assessment of a Syrian visa request.

LSC exchanged information on the collection of the visa fee, notably in what concerns the currency to be used for the payment, concluding for the inequality of practices, as some Member States charge in Euros, other in Turkish Liras at the market exchange rate and a third group charges also in the local currency with periodic adjustments of the rate.

Another discussion within LSC dealt with the “Top 10 Points where the Visa Code should be amended” and suggestions were sent to Brussels for further consultation with MS.

### **3.4 Any other initiative taken in LSC**

Following the first positive experience of Konya (December 2013), a second wave of public diplomacy initiatives was projected and started in collaboration with the Union of Chambers and Commodity Exchanges of Turkey (TOBB). It was agreed with the Head of European Union Department to initiate a two year program called "LSC Visa information Dialogue with Business Community in Turkey" and consisting in visits to TOBB branches all over Turkey (4-5 visits every year), a presentation of the Schengen rule and procedures and a Q&A session, dedicated to address doubts and complaints from the local business community. The first session took place in Ankara on the 21<sup>st</sup> of March. Following appointments have been scheduled in Trabzon (May 2014), Gaziantep (June 2014), Bursa (September 2014), Eskisehir (November 2014).

- LSC updated two draft Schengen Information advertorials explaining the Schengen visa system to the general public in a comprehensive manner as well as flyers to be published and distributed at Schengen visa locations and during the public policy initiatives.
- LSC has been following the developments of the Visa Liberalization Dialogue between Turkey and EU and the approval of the Readmission Agreement. Several colleagues of the LSC group also attended the meetings and de-briefing sessions with the expert mission aiming at assessing the legal framework and the administrative practices and capacities currently available in Turkey in the areas concerned by the Roadmap.
- On 14.11.2013, at the invitation of the Consular Section of the Embassy of Germany in Ankara, a substantial number of LSC Member States visited the premises of the latest and had the opportunity to get acquainted with the working methodology. The visit was followed by a round-table discussion, which enabled the sharing of good-practices and gave clues for further harmonization of the “Schengen visa” praxis in Turkey.

## **4. Challenges in 2014-2015**

The LSC in Turkey will continue the harmonization work within the framework of the EU Visa Code. The approach of the Turkish public administration towards the Schengen Visa Regime remains critical especially in regards to the debate on visa liberalization and the readmission agreement, which Turkey continues to link to each other in a specific way.

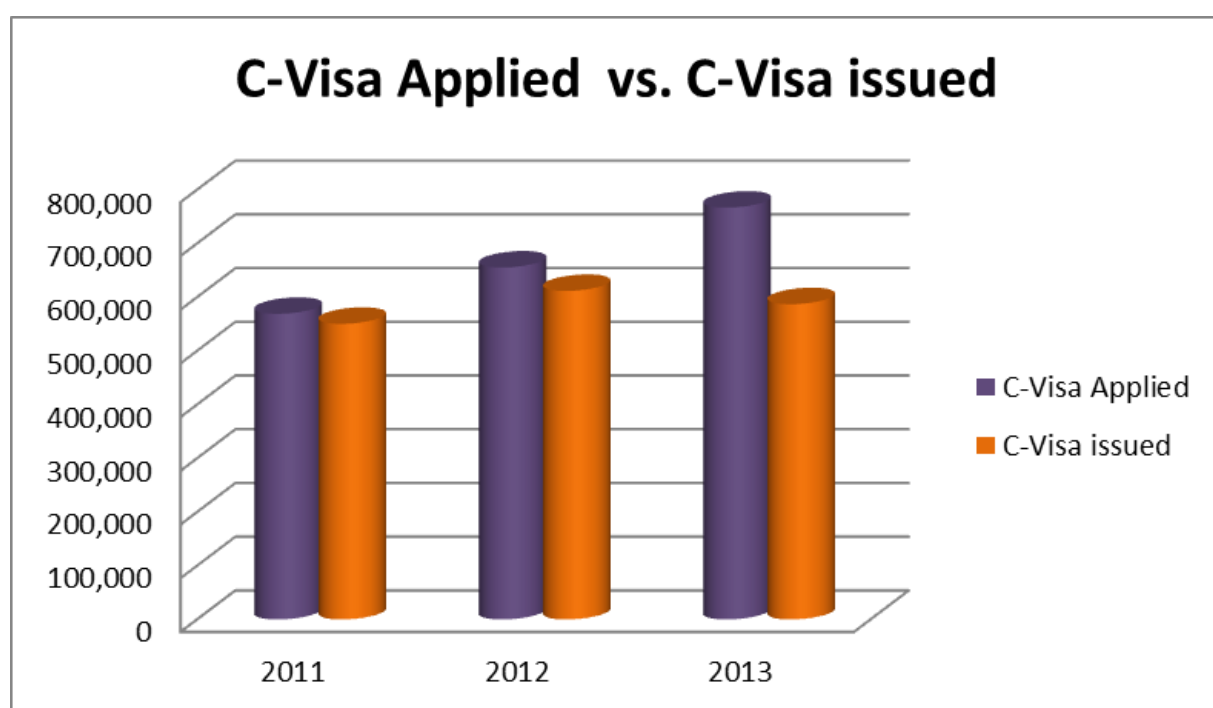
The same applies to the general perception by the Turkish public of the system, which requires LSC to devote resources for public diplomacy purposes, possibly through a systematic campaign directed at target groups, including pro-active, public information sessions with businessmen and advertisements in the media.

## **5. Other issues**

A seconded National Expert was immediately embedded in his tasks upon arrival. This confirms the need for specific human resource to make the LSC working adequately (organization of and reporting on monthly meetings in alternatively Ankara and Istanbul; specific initiatives and issues to be followed, statistics, etc.).

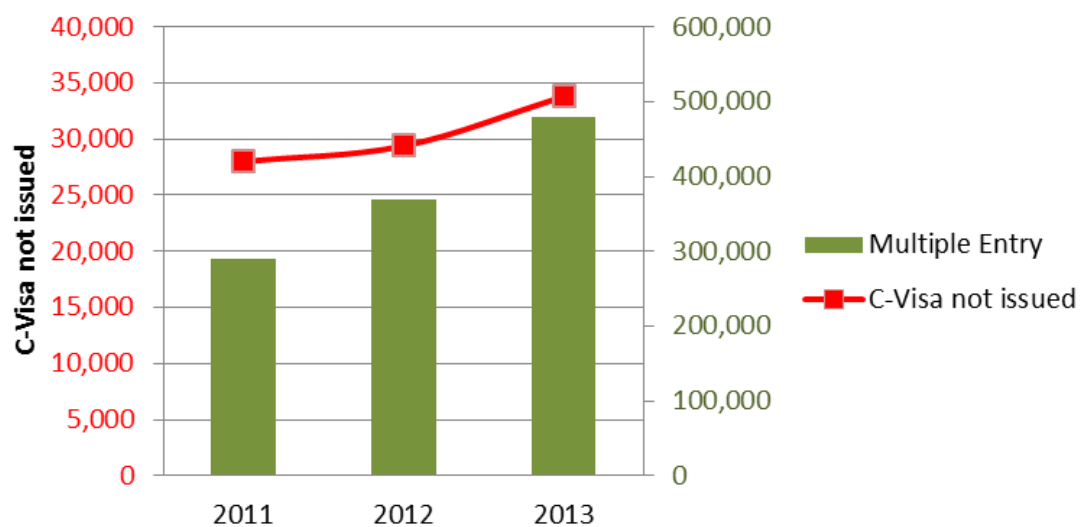
#### Attachment: Visa statistics Turkey/all locations

	C-Visa Applied	C-Visa issued	Multiple Entry	% Multiple entry	not issued	% refusal rate
2011	568,917	550,338	288,894	52.49%	28,007	4.90%
2012	655,205	611,562	368,481	60.02%	29,383	4.40%
2013	766,610	586,848	479,149	81.64%	33,811	4.40%
total	1,990,732	1,748,748	1,136,524		91,201	



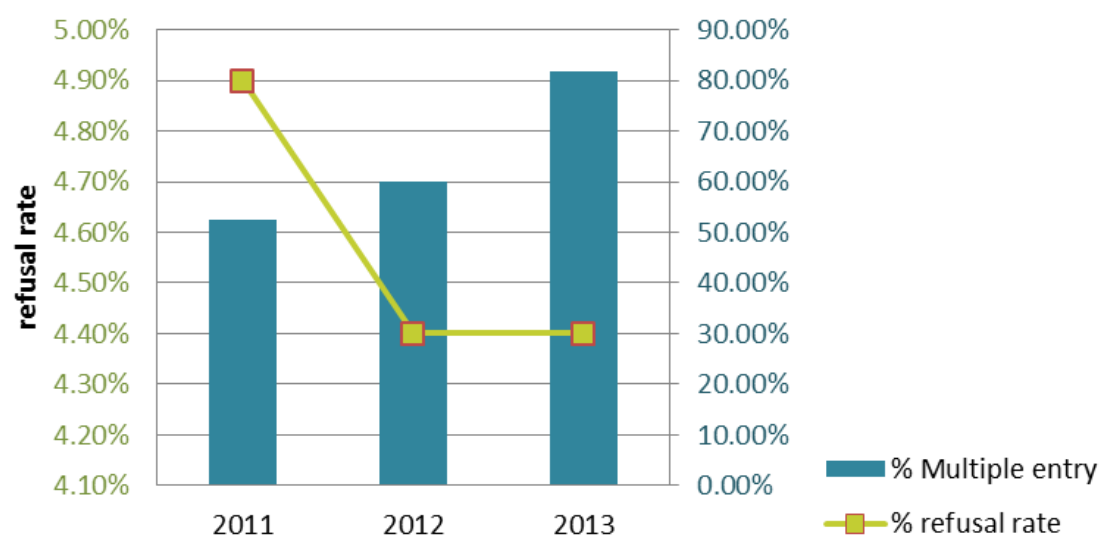
	Multiple Entry	C-Visa not issued
2011	288,894	28,007
2012	368,481	29,383
2013	479,149	33,811

## Multiple entry vs. not issued



	% Multiple entry	% refusal rate
2011	52.49%	4.90%
2012	60.02%	4.40%
2013	81.64%	4.40%

## % Multiple entry vs. % refusal rate





17/07/2014

## **.LOCAL SCHENGEN COOPERATION (LSC) UKRAINE 2013-2014 REPORT<sup>95</sup>**

### **1. Introduction**

**Present in Kyiv:** Republic of Austria, *Republic of Bulgaria*, Kingdom of Belgium, *Republic of Cyprus*, Czech Republic, Kingdom of Denmark, Republic of Estonia, Republic of Finland, French Republic, Federal Republic of Germany, Hellenic Republic, Hungary, Republic of Italy, Republic of Latvia, Republic of Lithuania, Kingdom of the Netherlands, Kingdom of Norway, Republic of Poland, Portuguese Republic, *Romania*, Republic of Slovakia, Republic of Slovenia, Kingdom of Spain, Kingdom of Sweden, Swiss Confederation, *United Kingdom of Great Britain and Northern Ireland*.

**Representation from Prague:** *Ireland*, Grand Duchy of Luxembourg

**Representation from Helsinki:** Republic of Iceland

**Representation from Moscow:** Republic of Malta

A **Visa Application Centre** is run by the VFS GLOBAL for the following 11 Schengen countries: Kingdom of Belgium, Kingdom of Denmark, Republic of Finland, French Republic, Federal Republic of Germany, Kingdom of the Netherlands, Kingdom of Norway, Republic of Poland, Kingdom of Spain, Kingdom of Sweden, Swiss Confederation; by Visa Management Service for Republic of Italy; by Pony Express for Republic of Estonia and Republic of Latvia.

The **EU Delegation** is in charge of the coordination of meetings.

### **2. LSC meetings held in 2013**

- Number of meetings held: 10
- Meetings well attended
- Meetings chaired by the EU Delegation
- One ad-hoc-meeting was organized
- At some meetings participation of 3<sup>rd</sup> parties (*e.g.* Ukrainian MFA, Migration Service, UNHCR)
- Reports drawn up by EU Delegation (not regularly)
- Sharing common reports with capital: yes

### **3. State of play**

#### **3.1 Application of the Visa Code**

Visa Code is applied by individual member states in accordance with national instructions. Meetings of LSC are dedicated to coordination and harmonization of practices, in particular as regards harmonization of the list of supporting documents, exchange of information on insurance companies and cooperation with commercial intermediaries (travel agencies).

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<sup>95</sup> April 2012 – March 2013



### **3.2. Exchange of information on the visa fee charged – possible need for harmonisation**

Local practices vary among member states: visa fee charged partly in local currency, partly in Euros and in US Dollars. Procedures need to be harmonized in order to avoid visa shopping.

### **3.3 Assessment of the need to harmonise the lists of supporting documents**

A harmonization of the list of supporting documents has been accomplished by LSC, approved by the Visa Committee and the European Commission adopted a decision C(2014)2737 of 29 April 2014, translated into all EU languages (EU Delegation has provided a translation of this decision into Ukrainian language) and as of 15 May 2014 the list of supporting documents is operational in Ukraine.

### **3.4 Common information sheet**

It is planned to draft a common information sheet once a Commission decision on the harmonised lists of supporting documents has been taken.

### **3.5. Exchange of information**

Monthly statistics are shared among the parties. For monitoring of cases of fraud a working group has been established with participation of the UK, Canada and US. The group meets every 3 months in average. Exchange of information within LSC covers also TMI and list of accredited travel agencies.

## **4. Challenges in 2014-2015**

One of the key challenges for 2014-2015 will be implementation of the Visa Facilitation Agreement and of the harmonised list of supporting documents. Other issues include: combating fraud and visa shopping, shortening the length of procedures.



May 2014

## **LOCAL SCHENGEN COOPERATION (LSC) – UNITED KINGDOM (LONDON) 2013-2014 REPORT**

### **1. Introduction**

All Member States and associated states applying the common visa policy are present in London. Ten Member States cooperate with an external service provider for the purpose of the collection of visa applications. Eight Member States are present in Edinburgh (four only via an external service provider); Six Member States are present in Manchester (four only via an external service provider).

### **2. LSC meetings held in 2013-2014**

Since the last reporting period four meetings have been held and meetings are very well attended. The LSC responded to the request from DG HOME for suggestions for the revision of the Visa Code (March 2013)

### **3. State of play**

#### **3.1 Application of the Visa Code**

No major problems with the implementation the Visa Code has been noted, but questions are regularly raised regarding specific issues of implementation, e.g. waiting times, handing of applications from persons travelling to different Member States on separate trips with short gaps between the different trips, acceptance of traveller's checks as proof of means of subsistence. As the issue of the interaction between Directive 2004/38/EC on the free movement of EU citizens and their family members continues to give rise to questions, a representative of DG JUST participated in the meeting in October 2013. This was an occasion for Member States to raise a number of operational issues.

#### **3.2 Exchange of information**

The exchange of 'local' statistics still does not run smoothly and is incomplete because the majority of Member States omit to send their contribution to the Member State having volunteered to compile this data. Member States have been encouraged to fulfil this requirement (provided by the Visa Code, Article 48 (3) (a)) so that information on fluctuations can be shared with the entire group.

Member States exchange information on various operational subjects (e.g. cases of fraud) in the formal meetings and by e-mail.

DG HOME shares information from the relevant Council and Commission fora (Visa Working Party, Visa Committee etc.).

#### **3.3 Any other initiative taken in LSC**

Early 2013 the Yammer tool for exchanging information in the LSC was abolished and DG HOME created an "interest group" would be created on CIRCABC. This tool was meant to mainly function as a repository for documents. Access is limited to the member of a given interest group. By the end of the reporting period no Member States representatives had signed up. DG HOME, however, continues to upload relevant information on this platform.

#### **4. Challenges**

The following issues are considered as challenges by the Member States' consulates present in the United Kingdom:

- The huge amount of applications, especially in some periods of the years (e.g. holiday season) can be difficult to deal with, considering the shortage of staff.
- A considerable number of "no show"- appointments
- Improvement in the harmonization of the procedures between the Schengen countries (i.e.: different attitudes in respect of the authorization of the visa length).
- After a period of 5-year stay in the United Kingdom EU/EEA family members are issued with a so-called "permanent residence card" that does not comply with Article 10 of Directive 38/2004 (is does not refer to the family member status) Therefore the Schengen Sates should issue a visa to these family members, even if they travel together with or join to their EU/EEA family members.
- The diverging interpretation of the implementation of Directive 38/2004/EC among Member States and even within the same Embassy still gives rise to questions. This of course also has repercussions on the information to the public.
- Visa shopping: spotting trends can be a challenge in a big city like London and trends seem to change pretty quickly. The latest one observed is an increase in applicants from Ecuador (could also be from other Latin American countries, but mostly from Ecuador) travelling to London on a 6 months valid UK visa working as volunteers for a Christian organisation.

#### **5. Other issues**

N/A



EUROPEAN UNION  
DELEGATION TO THE UNITED STATES OF AMERICA

The Head of Delegation

Washington,

## **LOCAL SCHENGEN COOPERATION (LSC) Washington D.C. 2013-2014 REPORT<sup>96</sup>**

### **1. Introduction**

All Member States are present in Washington, as well as Switzerland, Norway, Iceland and Liechtenstein. For the purpose of LSC in Washington, Estonia is represented by its sole consular post in the US located in New York City. Sweden issues Schengen visa in Washington D.C. for Iceland, Norway and Finland. Liechtenstein is represented by Switzerland for LSC purposes. Member State colleagues are encouraged to hold LSC meetings in other US locations and to share information from Washington LSC with their US locations as well as headquarters. The setting into motion of the "Out of the Beltway cooperation" exercise with the designation of "Local Chairs" covering the whole US territory is helping this coordination as Local Chairs are competent for LSC coordination purposes.

Since US citizens do not need visas for short stays in the Schengen area, issuance of Schengen visa is generally limited to third-country nationals legally staying in the US, thus pre-vetted by the US authorities. Some consulates (BE, MT, NL, PL) also issue visas for third-country nationals residing outside the US, but within the Western Hemisphere (Caribbean, Mexico, Canada), either due to non-representation in certain countries or following the centralisation of visa issuance in Washington D.C. as a regional support office (NL). So far no external service providers are used for the collection of applications (a MS has already signed a contract but it is not operational yet) although the launching of the Visa Information System may encourage some MS to outsource.

### **2. LSC meetings held in 2013-2014**

Three LSC meetings were held in Washington during the period considered, with on average about five Member States not attending, while some Member States sent more than one colleague. Washington LSC meetings are chaired by EUDEL, while non-Schengen consular meetings continue to be chaired by the rotating EU Presidency, normally once per semester. LSC reports -taking the form of meeting conclusions (submitted separately)- are drafted by EUDEL and agreed with Member States colleagues who are encouraged to share the conclusions and any other information/reporting with their headquarters. (Coordination with) LSC outside Washington is left to Member States. As the "Out of the Beltway" project is in place, it is up to the designated "Local Chairs" in every district to ensure the local Schengen coordination.

Since February 2010, Washington LSC has also worked through a Working Group composed of several Member States (on an *ad hoc basis*) as a privileged way to examine at an early stage different subjects and

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<sup>96</sup> April 2013 – March 2014

provide solutions for approval by the whole LSC group. This have been the case for harmonising visa fees, supporting documents' list, travel medical insurance requirements, issuance of visas to spouses and family members etc.

### **3. State of play**

#### **3.1 Application of the Visa Code**

MS are well prepared to carry out LSC tasks under the Visa Code. The initial learning process after entry into force of the Visa Code has very much improved and MS are looking forward to the approval of the new Visa Code. However there are still some requests by MS to clarify the rules which are normally answered through EUDEL by competent services in Headquarters. There is a frequent communication on this between MS and with EUDEL regarding especially re-entry documents, travel medical insurance coverage limits and reliable companies and visa refusals, among others.

#### **3.3 Assessment of the need to harmonise the lists of supporting documents**

MS have been implementing the supporting documents' list approved on March 26th 2013, by the **Commission Implementing Decision (C (2013) 1725 final) establishing the lists of supporting documents to be presented by visa applicants in Jordan, Kosovo and the United States of America (Atlanta, Bedford, Boston, Chicago, Cleveland, Detroit, Houston, Los Angeles, Miami, Newark, New York, Philadelphia, San Francisco, San Juan, Tampa, Washington)**. Before its adoption, as per the VC recommendation, MS's Consulates had already started using the harmonized list.

MS are fully aware that there is a general obligation to implement the content of the Decision, to ensure harmonized implementation and to update the information to the public through web pages and public information boards. No particular problems on implementation have been reported. A number of MS asked EUDEL to add a link on its own websites to include expanded information on Schengen (see <http://www.euintheus.org/what-we-do/policy-areas/freedom-security-and-justice/schengen-area/>): a link to the Supporting Documents list, in the section on Schengen General Info, and a link to the COM Decision. However, according to Headquarters, it was acknowledged that such a link would not replace the obligation for MS to include the relevant list of supporting documents in their respective webpages in a visible manner.

The Group has not discussed so far the possibility of amending the supporting documents' list.

#### **3.3. Exchange of information on the visa fee charged – no need for harmonisation**

The conclusion reached by the LSC Group on the first year, recommending that further harmonisation of visa fees and fee waivers was not necessary, was reaffirmed. The observed differences (e.g. visa fees varying +/- 12% between minimum and maximum) were not perceived to cause any significant 'visa shopping', also in view of the low migratory risk from visa applicants in the US (cf. section 3.5 below). This is also confirmed by the analysis of the visa statistics.

#### **3.4 Common information sheet**

Washington LSC was considering the need to have a common information sheet for visa applicants (as required by art. 48, 2 of the Visa Code), and had mandated accordingly the Working group to further study the subject. However the COM services informed EUDEL that they were starting the preparation of a

common model. Therefore the Group agreed that it would be wiser to wait until this model has been completed to adapt it, as necessary, to the circumstances in the US.

### **3.5. Exchange of information**

Statistics.- The collection and discussion of monthly visa statistics every six months for the jurisdiction of Washington-based consulates (except Estonia – cf. section 1) is running smoothly as required by the Visa Code. EUDEL is in charge of collecting the statistics in a single document which is shared with MS. Several MS have again raised the point of the different scope of the statistics as the territory covered by the different Consulates varies. They were reminded that the original purpose of this exercise was to collect statistics for the whole US territory, although it was subsequently decided to limit it to Washington Consulates. While the present statistics serve their purpose (to signal change in trends and prevent “visa shopping”) as the parameters to be compared have remained the same, the Group agreed to raise with Headquarters the point of the relative utility of collecting statistics in a country like the USA, where there were no serious problems of visa issuing or “visa shopping”.

Travel medical insurance.- LSC has always considered that there was no need to compile a “black list” of problematic or unreliable insurance companies. LSC encouraged consulates to exchange information on their experiences with insurance companies. However, it was agreed that a subgroup of MS would meet to prepare a model letter setting out Schengen requirements which applicants could provide to their insurance company for signature. This was approved after discussion at the whole group, on the basis that it was a helpful tool and not a compulsory document.

Visa refusals.- The LSC has continued to consider that, absent a direct instruction and in view of the low risk of fraud, each consulate remains free to exchange this information the way it considers best, which is the actual practice.

Travel documents.- Information on travel documents issued by the US has been sent by EUDEL to DG HOME on a timely basis. Specific coordination on the need to have a visa for holders of refugee travel documents was undertaken by the Group. The validity of the Native American Tribal passports has also been discussed.

Preparing the launching of VIS: biometrics data collection.- In preparation of the launch of the Visa Information System (VIS), the group checked the capacities of the different MS to collect biometrics.

Stamping the passport.- The nature of the obligation on MS Consulates when faced with a visa application where the individual passport has already been stamped by another MS Consulate was discussed and consulted on with headquarters.

Migration and mobility.- The group considered that there is no risk of irregular migration and visa fraud from the US to EU. Therefore a regular dialogue on migration and mobility is not deemed appropriate.

Specific visa questions (e.g. recognition of US documents, fraud cases, B1/B2 visa holders, etc) are regularly discussed via e-mail or at the LSC meetings, which the group found to be useful. EUDEL shares regularly with MS information provided by Headquarters (VC reports, modifications to Visa Code, etc)

Revision of the Visa Code.- the group has been following closely this operation. Following instructions, EUDEL publicized the different initiatives that DG HOME was launching (e.g. a study, a public – on-line-consultation). Additionally, a specific questionnaire was addressed to MS in order to consider sharing their views with Headquarters on the implementation of the Visa Code.

EUDEL has also been regularly updating on the progress made by the Commission on taking forward the suggestions of consuls and MS central authorities for revising the Visa Code; on the evolution of the draft proposal, adopted finally on April 1, 2014; and on the future perspectives for adoption.

Calculation of "short stays".- New rules for calculating short stays of third-country nationals within the Schengen area -in force since 2013- have been considered by the Group. MS have experienced no major problems using the guidance and calculator made available on the European Commission's website and most of MS agreed on the usefulness of the new instrument.

#### **4. Challenges in 2014-2015**

LSC Washington envisages (further) work on the following issues:

- Implementing the harmonised list of supporting documents (MS Consulates publication)
- Introduction of the VIS.
- New Visa Code

Washington LSC has reached cruising speed, but resources at EUDEL continue to be a concern (sustainability in view of competing priorities). The designation of "Local Chairs" representing the EU has improved LSC coordination outside Washington DC.

#### **5. Other issues**

Invitations to external US interlocutors to LSC group have not been customary so far unlike the Consular meetings chaired by the rotating Presidency. Although LSC decided to open its meetings periodically to host external interlocutors in matters that could be of common interest (e.g. forged documents), no meeting of that kind has taken place so far.

The information on Consulates from EU MS in US have been updated with the help of all MS and sent accordingly to DG JUST to be included in the Consular Protection webpage.

*This report has been approved by all MS present.*



15/05/2014

## LOCAL SCHENGEN COOPERATION (LSC) Uzbekistan 2013-2014 REPORT<sup>97</sup>

### 1. Introduction

The Republic of Uzbekistan hosts 8 diplomatic missions issuing Schengen visa (Czech Republic, France, Germany, Italy, Latvia, Poland, Slovakia and Switzerland) and 2 missions applying the Schengen policy (Romania, Bulgaria). None of the embassies are using external service providers for collection of applications. In 2013/2014 some embassies have introduced the *system of line appointments as a tool for management of applications* (GER, FR, IT). All Schengen embassies have been using VIS since its introduction in Uzbekistan on 14/11 but experience technical problems with quality of prints and sharing of information (see section 4. Challenges). There have been no changes in representation arrangements in comparison to last year (see Annex 1). There are no Schengen visa consulates outside of the capital Tashkent.

*This report has been agreed with LSC members.*

### 2. LSC meetings held in 2013-2014

As last year, LSC group continued to hold regular *bi-monthly meetings* and met 6 times during the reporting period – on 15 April 2013, 27 June 2013, 16 September 2013, 31 October 2013, 28 January 2014 and 10 April 2014. The meetings are normally attended by all embassies issuing Schengen visa in Tashkent and in some cases also by representatives of the Romanian and Bulgarian embassies. EU Delegation prepares agenda, chairs the meetings and drafts meeting reports. Members of the group maintain regular email contact.

LSC members created *2 ad-hoc working groups* during the reporting period to provide inputs for the preparation of harmonized list of supporting documents (groups on financial means and lodging). In addition, ad-hoc group was set up for dealing with travel operators/travel agencies organizing trips to countries of the Schengen area.

LSC had *two meetings in 2013/2014 with participation of a third party* – one with the US consul and one with the visiting consul of Greece (based in Moscow). Contacts with other third parties/embassies take place bilaterally and/or within the Consul Club meetings organized by different embassies in Tashkent on bi-monthly basis.

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<sup>97</sup> April 2013 – March 2014



### 3. State of play

#### 3.1 Application of the Visa Code

The visa code implementation is well under way in Uzbekistan. The LSC and embassies continued to discuss in 2013 – 2014 practical aspects of the implementation, including the preparation of the harmonized list of supporting documents. LSC also debated *possible modifications of the visa code* and put forward the following recommendations as part of the consultation process launched by the European Commission:

- Introduce requirement for harmonization of national lodging documents (currently some more comprehensive than others)
- Introduce clause for conclusion of full representation agreements (inverted consultation)
- Introduce the possibility to determine visa fees based on reciprocity in cases where large disproportions exist between Schengen visa fees and fees of the host country
- Introduce clause strengthening the role of the LSC (including assessment of migration risks)
- Introduce requirement for harmonization of visa policy for property holders (some embassies issue visas based on property ownership)
- Art. 32 – modify the article to spell out that visa can be refused if previous visa was misused (currently this is not spelled out); make similar reference to cases when unauthorized changes in the passport were made (e.g. visas placed from one page to another)

There has been a good ad-hoc support of the EU Delegation from HQ – it would be useful to combine such support with a *practical more in-depth training focused on consular issues and implementation of the Visa Code* for relevant delegation staff. EU MS consular staff would also benefit from *FRONTEX training on detecting falsified documents* that had been organized in other parts of the CIS.

#### 3.2 Assessment of the need to harmonise the lists of supporting documents

The EU Delegation launched the discussion within the LSC about the assessment of the need to harmonize the lists of supporting documents in 2012 and prepared a questionnaire for such assessment based on inputs of LSC members. This work continued further in 2013, when LSC members agreed to establish ad-hoc working groups on harmonization. Based on the input of the two groups and further LSC discussion, *EU Delegation prepared draft harmonized list of supporting documents, which was eventually agreed by all LSC members and forwarded to the Visa Committee on 18/9/2013*. LSC also discussed and reacted to two rounds of follow up questions and comments from the Visa Committee. The harmonized list is yet to be adopted by the Visa Committee.

#### 3.3 Exchange of information

There is a good exchange of information among member states related primarily to visa shopping/abuse of issued visa. EU Delegation collects and shares quarterly visa statistics and also contributes to the exchange of information by disseminating relevant information received from Brussels.

#### 3.4 Any other initiative taken in LSC

The contact list of MS representations and representation agreements is regularly being updated by the Swiss embassy. The working group of the Czech Republic, France and Germany proposed an introduction of a voluntary code of conduct for Travel Operators/Travel Agencies organizing trips to countries of the Schengen area, which is yet to be agreed by all LSC members.

#### 4. Challenges

The LSC members responded well to the three challenges outlined in last year's report – i.e. i) harmonization of lists of supporting documents (harmonized list prepared and submitted for adoption to the Visa Committee), ii) harmonization of an approach to travel agencies (draft voluntary code of conduct put forward by a CR-GER-FR working group), and iii) further improved exchange of information (the LSC meetings became more active and open; LSC members created specific working groups during the year; email exchange continued).

The main new challenge identified in 2013/2014 was related to the introduction of VIS. First, the embassies face problem with the *quality of prints taken for VIS* (30 per cent are too poor to register – usually applies to individuals above the age of 50). Second, embassies have *problems sharing VIS files* as data about nationality of those born before the collapse of the Soviet Union differ from one embassy to another (some embassies use ex-USSR while others use Uzbekistan). This then prevents access of embassies using "ex-USSR" access to files of applicants that have already given finger prints in embassies using "Uzbekistan" and vice-versa. Mapping of the situation and eventual harmonization in this area would be useful in order to benefit from VIS information sharing.

#### 5. Other issues

The Uzbek government has introduced new travel documents with biometric information issued by the country. These include i) regular passport, ii) diplomatic passport, and iii) travel document for stateless persons. LSC members recommend that *the European Commission list of travel documents is updated accordingly as far as Uzbekistan is concerned.*

**Annex 1: Representation arrangements in Tashkent, Uzbekistan**

<b>Embassy of:</b>	<b>Represents:</b>	<b>Type of representation:</b>
Czech Republic	No other MS	
France	Netherlands, Belgium, Luxembourg, Portugal, Iceland	
Germany	Sweden, Denmark, Austria (TBC)	
Italy	Greece, Norway, Malta, Slovenia	
Latvia	Estonia, Lithuania, Hungary	
Poland	No other MS	
Slovakia	No other MS	
Switzerland	No other MS; full collaboration with the Principality of Lichtenstein	



EUROPEAN UNION  
DELEGATION IN VENEZUELA

Caracas, 6 May 2014

## **LOCAL SCHENGEN COOPERATION (LSC) CARACAS 2013-2014 REPORT<sup>98</sup>**

### **1. Introduction**

10 Member States are represented in Venezuela, but only 9 of them deal with consular affairs: Austria, France, Germany, Greece, Italy, the Netherlands, Poland, Portugal and Spain. One Associated State is present: Switzerland, which ceased issuing visas in Caracas in March 2014.

In July 2013 the Norwegian embassy closed its offices in Caracas and transferred management of consular affairs to its consulate in Bogotá.

In the course of 2013 the Belgian embassy moved out, leaving a representation office in Caracas. The consular section was transferred to Bogotá.

The Netherlands has an agreement with Belgium to issue 'C' visas.

Austria has agreements with the following countries to issue 'C' visas: Latvia, Malta, Slovenia and (since March 2014) Switzerland.

Italy and Portugal have consulates-general in Maracaibo and Valencia respectively.

Venezuelan nationals do not require visas for entry into the Schengen area, so the number of visas issued is low in comparison with other countries. Most visas issued in Caracas are requested by foreigners residing in Venezuela.

Most Member States' consuls in Caracas are responsible for other countries in the region.

There was satisfaction at the news that tourist visas for Colombian and Peruvian nationals are to be abolished. This will lighten the workload of consulates in Caracas, as these types of visas account for a large proportion of the 'C' visas issued in Caracas.

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<sup>98</sup> April 2013 – March 2014

## **2. LSC meetings in 2013-2014**

Three LSC coordination meetings were held from April 2013 to March 2014 with an average participation rate of 50% of the Member States represented. Some smaller Member States did not attend the meetings for want of sufficient staff.

Two LSC meetings are held every six months and are chaired by the Delegation of the European Union, which also draws up the minutes and distributes them with the agreement of the Member States present. The majority of the Member States attach these minutes to the reports they send to their capitals.

The Delegation has invited the Member States' consuls-general from outside the capital to attend the LSC meetings, but they have not yet been able to attend. They are also sent the minutes of the meetings.

## **3. Current situation**

### **3.1. Application of the Visa Code**

At the coordination meetings, information is exchanged on specific problems encountered by some Member States when issuing visas.

As regards implementing the Visa Information System (VIS), the Member States take the view that the VIS will complicate the management of passport and visa applications in countries under their jurisdiction outside of Venezuela and consider it necessary to speed up international representation agreements for consular affairs in those countries.

### **3.2. Assessment of the need to harmonise the lists of supporting documents**

The Member States present are examining different practices in relation to the list of supporting documents. Most of the supporting documents requested are the same. However, some requirements stem from the specific rules and regulations of each Member State, for example payment in local currency or in foreign currency.

### **3.3. Exchange of information**

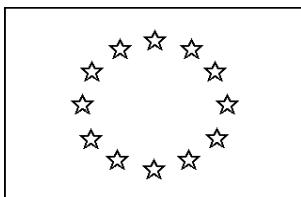
The following information is regularly exchanged at LSC meetings:

- monthly statistics;
- cases of fraud;
- usual practices for applying for visas or specific cases that attract attention;
- other matters of common interest.

#### **4. Challenges**

To speed up the conclusion of representation agreements with other Member States in places where those Member States are better represented owing to the closure of certain consulates in Caracas and the large number of countries for which the consuls are responsible.

The Member States are aware that this process would have to be handled by their respective capitals.



**EUROPEAN UNION**

**Office of the European Union Representative**  
(West Bank and Gaza Strip, UNRWA)

## **LOCAL SCHENGEN COOPERATION (LSC) JERUSALEM 2013-2014 REPORT<sup>99</sup>**

### **1. Introduction**

The area covered by the LSC is composed of the West Bank, Jerusalem and the Gaza Strip. Some Member States (MS) issue visas in Jerusalem and some in Ramallah whereas others only collect applications in those locations including Gaza and process them in Tel Aviv (Israel), Jerusalem, Ramallah or Amman (Jordan).

The members of LSC Jerusalem are therefore from either:

- Consulate Generals in Jerusalem (BE, SE, GR, ES, IT and FR),
- Representative Offices in Ramallah (AT, DK, SI, CH, DE, NL, HU, PT, and MT)
- Representative Offices in Al Ram - Jerusalem: (NO)

or from

- Embassies in Tel Aviv (FI, CZ, PL, SK, EE, LV and LT).

IS and LU have no representation of their own in this jurisdiction. IS is thus represented by DK and LU is represented by BE. CH represents EE, SI and FL in the West Bank including East Jerusalem. SE represents CH in Gaza.

A main administrative and logistical problem is the fact that not all MS are present in all three areas covered by the LSC. This is a problem because not all visa applicants residing in one given area can travel to a visa office located in Jerusalem, Ramallah or Tel Aviv in order to lodge their applications in person (collective restrictions on movement imposed by the Israeli authorities), as made compulsory by the start of the Visa Information System (VIS) in the jurisdiction on 14 November 2013

Considering the above, a number of MS (BE, SE and DK) had opened a common application centre/Schengen office in Gaza. Moreover, some member states (ES, BE, IT, GR) contracted an external company to outsource the collection of visa applications for the West Bank and a number of MS have showed an interest in doing the same in Gaza, Spain having started in February 2014. For more information see point 3.4 below.

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<sup>99</sup> April 2013 – March 2014

8 MS currently have offices in Gaza and are able to collect biometrics and or receive visa applications there (BE, DK, NO, SE, AT, DE and FR + Spain via outsourcing).

## **2. LSC meetings held in 2013-2014**

All LSC meetings in the jurisdiction are held in the office of the EU Delegation in Jerusalem irrespectively of the location of each MS visa office.

Six regular LSC meetings were scheduled between April 2013 and March 2014. One extraordinary meeting was organised in July concerning the use of portable biometric equipment that could be provided by BE to interested MS in Gaza. For more information see point 3.4 below.

Compared to the meetings 2012 – 2013 the attendance slightly decreased with an average of 12 MS present at each meeting.

Since September 2013, following the depart of the SE coordinator who co-chaired the LSC meeting, the EU Delegation is solely in charge of the coordination of the meetings, of drafting agenda and communications for the different working groups as well as of elaborating the summary reports.

For the time being, no MS wishes to take over the role of the coordinator and LSC Jerusalem decided then to evaluate the necessity of having a new coordinator during the next months.

MS are asked to share the LSC summary reports with their capitals.

## **3. State of play**

### **3.1 Application of the Visa Code**

MS and EUD's preparedness to ensure the tasks to be carried out in the LSC under the Visa Code is high.

The roll-out of the new Visa Information System VIS for LSC Jerusalem locations went live on 14th of November 2013. In agreement with LSC Jerusalem, the following actions were taken by EUDEL to inform the local authorities and the general public:

- a note verbal was sent by EUDEL to Palestinian Authorities
- a press Release in English and Arabic was published both in EUDEL local website and Schengen Member States Consular Websites
- brochures and information sheets in English and Arabic were made available to LSC Member States in order to be placed in the local consular offices
- a meeting with Head of the Visa Department at the Palestinian MFA was organised where EUDEL presented the plans for the roll-out for VIS.

Others minor issues remain as described below.



### 3.2 Assessment of the need to harmonise the lists of supporting documents

Work is on-going. The draft harmonized list of supporting documents has been agreed upon and sent to the Visa Committee in March 2014. Following the Visa Committee report of 10/03/2014, a task force of 4 MSs (BE, SE, EL and LT) has been created to prepare a draft reply to each comment of the report and revise the harmonised list accordingly.

Both documents are currently being examined by LSC Jerusalem.

### 3.3 Exchange of information

#### Monthly statistics

A *biometrics and VIS Implementation --overview countries questionnaire* that also contains statistics regarding the number of Schengen Visa applications received from Gaza and West Bank is shared between LSC Member States

#### Travel Medical Insurance

The TMI working group (SE, BE, CH) has identified to-date five companies active in the West Bank and Gaza that provide TMI which fulfils the criteria set out in the Visa Code (see also 4). Two other insurance companies submitted several requests in order to be added to the list of the recognized insurances companies. Both insurance policies have been checked by TMI working group and further clarification has been requested but the TMI working group currently considers that both policies are still not in conformity with the requirements of the Visa Code (EC Regulation 810/2009, article 15).

The information on the approved TMI's has been circulated within the LSC together with a standard text named – "*Travel insurance when applying for a Schengen visa*" for each mission's website, setting out which TMI's are accepted.

A translation into Arabic of the above mentioned document is available.

#### Cases of fraud

Individual cases of fraud continue to be shared among the MS. The Anti-fraud Working Group has been split into a West Bank Working Group composed by DE, MT and RO and a Gaza Group composed by EL, SE and ES. The Anti-fraud Working Group for Gaza has initiated work on a best practice guide to anti-fraud assessment for visa applications from Gaza.

The draft of a best practice manual concerning documents issued in the two above mentioned locations is expected to be presented to LSC Jerusalem during 2014.

Moreover, following a request from several MS, DE would organise during the second half of 2014 a presentation on fraud issues given by the Advisor of the German police to the German Embassy in Amman.

### 3.4 Any other initiative taken in LSC

As a consequence of the roll-out of the new Visa Information System (VIS) which took place last 14 November 2013 all applicants need now to appear in person for the collection of biometry (photo and fingerprints). In preparation of the above, LSC had taken the following initiatives:

*- Gaza Office*

BE, DK and SE had taken the initiative to create a Common Application Centre (CAC)/Schengen office in Gaza. This European project led by Belgium is being implemented with the support of the External Border Fund, with the amount of EUR 230,000 for the 1st phase of the project which ended on June 30th, 2013 and has been renewed for the 2nd phase until June 30th, 2015.

75% of the costs continue to be borne by the EU and the remaining 25% is shared equally by the partners (BE, DK and SE). Other MS had expressed interest in joining the CAC/Schengen office but in the event did not join in.

The office has been up and running for 2 years now and the expenses remained without any problem under the budget limit of this EU project.

In May 2013, a delegation from Belgium (Visa Department of Belgian Ministry of Foreign Affairs and Control Authority of European External Border Funds-Belgian Ministry of Interior) gave to the LSC participants a presentation about the CAC/ Schengen Office in Gaza and the European external borders fund. A number of MS had showed their interest in joining the project but none did.

*- Portable biometric equipment offered by BE*

During an extraordinary LSC meeting held on 16th of July 2013, BE offered on the one hand the use of a portable biometrics equipment for the common use of interested Member States that would join the CAC/Schengen Consular Office in Gaza and on the other hand to take care of the necessary IT development for the portable kit, together with the interested MS, so as to make sure that the data format of the biometrics data collected by Members States in Gaza would be compatible with the specifications of the national systems of the Member States that decide to participate. A conference was to be organized in Brussels by the Belgian Ministry of Foreign Affairs with interested MS and was cancelled due to the absence of confirmations of participation.

*- Outsourcing of visa in accordance with Visa Code Art.43 and Annex X.*

Some member states (ES, BE, IT, GR) outsourced the collection of visa application for the West Bank and a number of MS have showed the interest to do the same in Gaza, Spain having started in February. In this context, during the reporting period, several contacts with external service providers operating in the West Bank and Gaza have been organised in order to explore the options of the outsourcing of visa applications (collection of biometrics data) in accordance with Visa Code Art 43 and Annex X.

## **4. Challenges**

1. Describe the response to challenges, if any, listed in the 2012-2013 report:

### Harmonisation of visa fees

Due to difficulties in harmonising locally the visa fees charged in local currency, the Commission has decided to raise the issue centrally.

#### Visa fee waiver Visa Code Art 16.5

No harmonisation has yet been achieved on visa fee waiver for the categories of applicants listed in Visa Code Art 16.5 (children between 6 and 12 years of age; diplomatic and service passports etc).

#### Palestinian Passport/Travel Documents and Palestinian VIP Passport/Travel Document.

Following a comparative analysis regarding the classification of Palestinian Passports/Travel Documents, it appeared that the MS local practice in classifying the Palestinian Passport/Travel Document and the Palestinian VIP Passport/Travel Document is different and, in any case, not harmonized.

EUDEL submitted for the signature of each MS a recommendation paper in order to confirm the general preliminary agreement on harmonising this classification, treating the VIP passports as Diplomatic ones if the applicant is a diplomat or a high ranking official and the application is supported by a MFA Verbal Note.

The results have been transmitted to DG HOME for further analysis and consideration.

#### 2. Describe subjects to be addressed within the next reporting period (2014-2015)

Following the roll-out of the new Visa Information System (VIS) in Jerusalem, Gaza and the West Bank which took place last 14 November 2013, the main subject will be to continue ensuring full compliance with the obligation imposed by the Visa Code related to collection of biometric data, particularly in Gaza. In fact, MS continue to face a number of practical and technical challenges in Gaza, such as:

- a) the Israeli blockade of Gaza renders it de facto impossible for a resident of Gaza to travel to MS office in Jerusalem, Ramallah or Tel Aviv for the collection of biometry as part of a visa application process. Biometry must therefore be collected in Gaza, which poses a challenge to several MS,
- b) MS have opted for different technical solutions/platforms to collect biometry. The result of this is that MS cannot use each other's biometric equipment to collect the necessary data,
- c) no MS has so far installed a fixed biometry station in Gaza (except Spain via outsourcing),
- d) the majority of MS offices' in Jerusalem, Ramallah and Tel Aviv covering Gaza lacks a portable biometry kit,
- e) the coordination and entry procedures with Israeli and de facto authorities in Gaza as well as travel to and from Gaza is time consuming, creates a need for long-term planning and involves a lack of flexibility. Sometimes, planned and approved missions have to be cancelled due to the deteriorating security situation in Gaza. Also the low number of applications for some MS makes traveling to Gaza to receive applications for them a time consuming and inefficient exercise. Several MS lack the necessary resources (staff, armoured cars...) to be able to regularly travel to Gaza to collect the biometrics.

There are four possible ways to deal with the issue:

- The MS becomes a partner in the CAC/Schengen office in Gaza,

*or*

-The MS concerned establishes a visa office in the area (or, together with other MS, a CAC),

*or*

-The MS concerned enters a representation agreement with a MS present in the area,

*or*

-The MS enters into an agreement with an external service provider.

The issue of visa fee waiver in accordance with Visa Code Art 16.5 will be followed up.

Finally, LSC Jerusalem agreed to start using a web-based platform, AGORA, provided by EU in order to share and exchange documents, organize meetings, launch of silence procedures, online forums and other complementary functionalities.

EUDEL is currently collecting the list of authorized users and plans to go live in the second half of 2014.

## **5. Other issues**

No other issues are reported from LSC Jerusalem.



23/04/2014

## LOCAL SCHENGEN COOPERATION (LSC) IN YEMEN 2013-2014 REPORT<sup>100</sup>

### 1. Introduction

Five Schengen States are represented in Yemen (in the capital only) - France, Germany, Italy, the Netherlands and Spain – out of which only the three first ones currently issue visas, including Schengen visas. Since the beginning of the year, Germany has started issuing visas for Hungary and, in exceptional cases, for Denmark. Overall, the three Schengen States also cover requests for entry to Austria, Belgium, Greece, Luxembourg, the Netherlands, Sweden (France), Portugal and Hungary (Germany), Malta and Spain (Italy).

In 2013, France received the highest amount of applications (3744 applications, 3008 granted, 736 rejected), followed by Germany (2590 applications, 2526 granted, 64 rejected) and Italy (1313 applications, 1026 granted, 205 rejected).

Some Embassies have reduced their staff in 2013 to cope with a deteriorating security situation. None of them currently use external service providers for the collection of visa applications, due in particular to the high risk of corruption.

### 2. LSC meetings held in 2013-2014

LSC is addressed as part of bi-annual LSC and consular meetings, which are co-chaired by the EU Delegation and a rotating Schengen State. The UK attends the second part of these meetings, which focus on consular cooperation. Ad-hoc meetings are organised when the necessity arises, notably to discuss new security trends or informally share views with like-minded partners, in particular the US. The meetings are usually well attended, given the limited number of Schengen States present in Yemen. Reports are drawn by the EU Delegation and shared by Member States with their capitals when relevant. Schengen States also occasionally communicate with non-resident Schengen States in the region, in particular Switzerland.

### 3. State of play

#### 3.1 Application of the Visa Code

The Member States and the EU Delegation are relatively well prepared to ensure the tasks to be carried out in LSC under the Visa Code, despite some discrepancies described below. The security situation, which has led in some cases to a reduction of staff, has however had a clear impact on the ability of Schengen States to respect the timeframes foreseen by the Visa Code.

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<sup>100</sup> April 2013 – March 2014

### **3.2 Assessment of the need to harmonise the lists of supporting documents**

At the last LSC meeting on 1 April 2014, Member States agreed to start working towards on an harmonisation of practices. A proposed list of harmonised supporting documents will tentatively be submitted to the Visa Committee in June.

### **3.3 Exchange of information**

The limited communication between the Schengen visa issuing offices, notably as regards fraudulent and rejected cases, continues to be a challenge. It seems that the Visa Information System is not used adequately by some Schengen States in Yemen. The organisation of a LSC seminar at regional level could possibly contribute to addressing this issue, whilst giving an opportunity to create links and increase coordination with non-resident Schengen States.

### **3.4 Any other initiative taken in LSC**

LSC and Consular meetings address broader issues than LSC, in particular consular protection and abductions.

## **4. Challenges**

### **1. Response to challenges listed in the 2012-2013 report**

As expected, the number of applications increased dramatically over the past year, which resulted in longer waiting times in two out of the three Schengen Visa issuing offices. Despite a 36% increase of applications over the past year, one Consulate managed to keep waiting times very low by following a systematic approach, which should be taken as an example while preparing the harmonised list of supporting documents.

With only three Schengen States issuing visas in Yemen, the risk of "visa shopping" remains very high.

### **2. Subjects to be addressed within the next reporting period (2014-2015)**

Member States share the view that the establishment of a common Schengen visa office would be very useful in Yemen in order to limit the risk of "visa shopping" and ensure business continuity in the current security environment.

## **5. Other issues**

None.



16 May 2014

## LOCAL SCHENGEN COOPERATION (LSC) ZAMBIA 2013-2014 REPORT<sup>101</sup>

### 1. Introduction

Compared to the situation prevailing in 2012-2013, there have been some changes, in particular in the representation arrangements between Schengen countries. After the closing of the embassies of Denmark and the Netherlands, there are now only 5 EU Schengen Member States present in Zambia, plus Norway, out of which only 4 issue Schengen visas (Finland and Norway are represented by Sweden).

The representation arrangements are now as follows:

France represents	Portugal
Germany represents	Austria, Hungary and Slovenia
Italy represents	Greece and Malta
Sweden represents	Belgium, Denmark, Finland, Latvia, Luxembourg, Netherlands, Norway, Spain, Switzerland, Iceland

During the reporting time, the Embassy of Sweden has taken over the issuance of visas for Switzerland and Denmark, as well as for some of the countries previously represented by Denmark (Norway, and Iceland). Since the end of the reporting period, the German Embassy also represents Slovenia. The collection of visa applications is not externalised, although Sweden is considering the option of an external service.

### 2. LSC meetings held in 2013-2014

Between April 2013 and March 2014, 4 local Schengen meetings were organised, as well as one ad hoc meeting in September 2013 in order to finalise the draft harmonized list of visa documents. There were fewer meetings held during the second half of 2013 than the rest of the reporting period, mainly due to change/lack of staff in the EU Delegation.

The meetings were mainly attended by those MS who are representing themselves and others. One meeting was also attended by three colleagues of the Norwegian Embassy in Malawi which has

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<sup>101</sup> April 2013 – March 2014

taken over visa issuance for several EU MS (Belgium, Denmark, France, Germany, Italy, and Netherlands).

The meetings are chaired by the EU Delegation which draws up the reports. There is no co-chair. There is no LSC (Local Schengen Cooperation) coordination outside Lusaka, since all visa issues are only dealt with in Lusaka.

MS do generally not share the meeting minutes prepared by the EU Delegation with their capitals, but some share the minutes with their capital if there is anything of essential importance, contrary to instructions or a need for guidance.

### **3. State of play**

#### **3.1 Application of the Visa Code**

Regular meetings and contacts via e-mail provide opportunities for carrying out the tasks requested from the local Schengen under the Visa Code. The meetings deal with operational issues in relation to the application of the common visa policy.

MS have no difficulties to fulfil tasks such as exchange visa statistics, exchanges of information on cases of irregularities or on local travel documents. During the reporting period, significant progress was made on the harmonisation of documents.

By the end of the reporting period, it was agreed that the EU Delegation will continuously forward information on Visa Code updates, in addition to the information that MS embassies are provided by their capitals.

#### **3.2 Assessment of the need to harmonise the lists of supporting documents**

The progress made in previous reporting period on the harmonization of documents was accelerated in 2013, which enabled the LSC group in Zambia to send a draft list to DG Home in May 2013 for comments by the Visa Committee. These comments were later addressed by the LSC group in Zambia. The document was sent in April 2014 for further comments by the Visa Committee.

#### **3.3 Exchange of information**

The exchange of information within the LSC is regular. Meetings and other contacts within the group provides a forum for information exchange, when relevant, on statistics and trends, cases of irregularities; travel medical insurance etc. During the reporting period, the following were discussed in particular:

- Visa statistics: During the first half of the reporting period, MS regularly send their visas statistics to the EU Delegation, which compiled it for discussion. By the end of the reporting period, it was agreed to resume this practice, and use the statistics as a basis for joint analysis of local trends and developments in visa issuance.
- VIS System: VIS was deployed in Zambia on 6<sup>th</sup> June 2013, and was subject to discussion and information exchange in the LSC group meetings as well as via e-mail correspondence in between meetings (see 4. Challenges)



### 3.4 Any other initiative taken in LSC

No other initiatives were taken during the period.

## 4. Challenges

### 1. *Describe the response to challenges, if any, listed in the 2012-2013 report*

- Representation arrangements: One issue, which was foreseen in the previous annual report, was the changes in representation arrangements over the past reporting period, as the Danish Embassy closed in 2013. The Swedish Embassy took over the issuance of visas for Switzerland and Denmark, as well as for 3 out of the 5 countries previously represented by Denmark: Norway Iceland. The Embassy of Germany took over representation for Slovenia.
- VIS (Visa Information System) roll out: The roll out of the VIS took place in June 2013, and was subject to some discussion and information exchange. The new modalities of visa processing via the VIS system were considered slow as visas, including LTV (limited territorial validity visa) could not be issued in case the system was blocked. Clarification was sought about the exception to the collection of biometric data (finger prints).
- External service provider: Another subject expected to be addressed during the reporting period was the intention by Sweden to start using an external service provider for the collection of applications. The decision is pending.

### 2. *Describe subjects to be addressed within the next reporting period (2014-2015).*

The main changes that are expected to have an impact on the work of the Local Schengen Cooperation are the following:

- Harmonized list of documents: Work will continue in order to finalise the harmonized list of documents, and if concluded during the next reporting period, the list will be introduced and used by the Embassies in relation to visa applicants and the public.

## 5. Other issues

Nothing to report.

*This report was drafted by the EU Delegation in consultation with MS present in Lusaka.*

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