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European Union

Brussels, 7 July 2015  
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VISA 229  
COMIX 312

**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 paragraph, of the Visa Code) - Compilation of annual reports covering the period 2014-2015

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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.

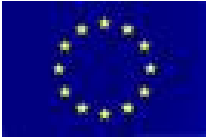
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**LOCAL SCHENGEN COOPERATION  
ANNUAL REPORTS - 2014-2015**

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\*  
DOMINICAN REPUBLIC\*  
ECUADOR\*  
EGYPT\*  
ERITREA\*  
GABON\*  
GEORGIA\*  
GUINEA BISSAU\*  
GUINEA CONAKRY\*  
INDIA\*  
INDONESIA\*  
IRAN\*  
IRAQ\*  
JORDAN\*  
KAZAKHSTAN\*  
KENYA\*  
LEBANON\*  
MADAGASCAR\*  
MAURITANIA\*  
MEXICO  
MONTENEGRO  
MOZAMBIQUE\*  
NEPAL\*  
NIGERIA\*  
PERU\*  
RUSSIAN FEDERATION\* (2 reports: Moscow and St. Petersburg)  
SAUDI ARABIA\*

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

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



Kabul, 13 April 2015

## **LOCAL SCHENGEN COOPERATION (LSC) in Afghanistan, Kabul 2014-2015 REPORT<sup>1</sup>**

### **1. Introduction**

1 The number of fully fledged consular services has been reduced from 5 to 4 after the closing of the polish embassy. The 4 remaining are DE, FR, IT & ES. Some of the other 8 MS may issue locally visas for diplomatic or service passports.

2 There has been no change on representation arrangements as the very few consular services present remain understaffed and / or overloaded.

3 The use of an external service provider for the collection of applications remain a very delicate issue as the local circumstances do not yet provide enough assurance in terms of the validity of the requested documents.

### **2. LSC meetings held in 2014-2015**

The LSC have regular meetings held on bi-monthly basis (six times a year).

Attendance is very good, only security issues may prevent on the last minute some participants to join. EUD is chairing. Meetings take place at the Delegation. Non-Schengen Member States are always welcome. MS draw up own reports and share with their capitals.

There is no need for coordination in locations outside the capital as visas are issued but only in Kabul.

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

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

The main problem relating to the implementation of the Visa Code as discussed in the LSC meetings has been the obligation of giving the finger printers as some national authorities have repeatedly consider this practise as irreverent. The EU Delegation has sent on various occasions on behalf of all the MS a kind NV explaining the mutual interest and fairness of this worldwide practise.

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

MS present consider that harmonisation of practices is already acquired. Draft list has been agreed upon and forwarded to the Visa Committee.

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

Statistics are shared at every bi-monthly meeting. Cases of fraud are discussed to avoid any recurrence.

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<sup>1</sup> April 2014 – March 2015

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

The Schengen consular group has taken the initiative to meet with the migration colleagues in order to harmonise the messaging regarding the request of the Minister for Refugees to review all the Memorandum of Understanding. International law should be respected and some basic common principles should be mutually agreed on.

### **4. Challenges**

The accuracy of the requested supporting documents remains an on-going concern and prevents the opening of a visa application center even if the concept would be a good solution for all those willing to travel to a country in the Schengen zone without a presence in Kabul, obliging them to travel to a neighbourhood country to give their finger printers.

Taking into account the volatile political, economic and security environment it will remain very demanding and time-consuming to analyse and take the right decision of the numerous visa applications. Rate of refusal is expected to remain high.

### **5. Other issues**

*Not applicable.*



04/05/2015

## **LOCAL SCHENGEN COOPERATION (LSC) in Tirana 2014-2015 REPORT**

### **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 an 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.

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 Island, Norway and Sweden for Schengen C type visas and France is representing Portugal for Schengen C type visas.

### **2. LSC meetings held in 2014-2015**

During the reporting period three LSC meetings took place (26 June and 16 September 2014 and 18 March 2015). They were well attended by EU MS and chaired by the EU Delegation.

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

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

On 25 September 2014 the Visa Information System (VIS) for Schengen short-stay visas started operation in all Schengen States' consulates present in the Western Balkans (Albania, Bosnia and Herzegovina, former Yugoslav Republic of Macedonia, Kosovo<sup>1</sup>, Montenegro and Serbia) and Turkey.

EU MS did not report any particular problems related to the application of VIS in particular or the Visa Code in general.

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

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

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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.

### **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 Member States. Bilateral exchange of information also took place.

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

Nothing to report

## **4. Challenges**

The period 2013-2014 showed a considerable increase of asylum applications and unaccompanied minors (UAM) in EUMS/SAC.

Regarding the period 2015-2016 the situation of asylum applications and UAMs is expected to worsen. Albania must take immediate and determined action in the framework of the post-visa liberalisation monitoring mechanism to address the increasing number of manifestly unfounded asylum applications of Albanian citizens abroad while respecting human rights principles.

## **5. Other issues**

Nothing to report



UNION EUROPEENNE

DELEGATION EN ALGERIE

21.05.2014

## COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC) EN ALGERIE RAPPORT<sup>1</sup> 2014-2015

### 1. Introduction

17 Etats membres de l'espace Schengen ont une présence diplomatique/ consulaire en Algérie: AT, BE, CH, CZ, DE, EL, ES, FI, FR, HU, IT, MT, NL, NO, PL, PT, SE. MT a ouvert son Consulat à Alger en mars 2014.

Accords de représentation pour les questions de visa: AT, BE, CZ, DE, ES, HU, PL représentent respectivement SI, LU, SK, LT, EE, 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, MT (le prestataire VFS Global); FR, IT (le prestataire TLS Contact).

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

Les spécificités locales relatives à la délivrance des visas:

- un nombre important de 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.

- de nombreuses tentatives de fraude (notamment la falsification des justificatifs relatifs à la situation socio-professionnelle des demandeurs de visa) et de nombreux intermédiaires dans l'obtention des visas Schengen qui proposent des différents services pour faciliter l'obtention de visas Schengen: des invitations aux différents salons internationaux ou pour des visites médicales, et même des services ciblés pour les personnes avec un profil migratoire ("sans travail ou avec des dossiers non-complets"; des demandeurs dont l'octroi de visa a été refusé par plusieurs missions diplomatiques). Dans certaines situations, ces services pourraient être en réalité des tentatives de facilitation de la fraude en matière de l'obtention de visas Schengen.

- dans le cas des certains Etats membres, les délais de rendez-vous peuvent dépasser 3 semaines en raison du grand nombre de demandes, notamment pendant la haute saison (juin à octobre). Cependant, grâce aux mesures implémentées par les consulats, la situation a généralement améliorée par rapport à 2013-2014.

- plusieurs Etats membres (FR, ES, CZ) sont confrontés à un taux élevé de "no-show" (35-40% dans le cas de FR).

- Pour FR, les soins médicaux représentent la première source de détournement de l'objet de visa touristique. Une procédure spécifique, instaurée en 2011 pour les demandes de visa déposées en vue des soins médicaux dans un établissement hospitalier français avec une prise en charge par les

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<sup>1</sup> Avril 2014 – Mars 2015



organismes sociaux algériens, notamment la CNAS (Caisse Nationale des Assurances Sociales des Travailleurs Salariés), a été renforcée.

- 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.

- certains Etats membres ont signalé une problématique spécifique liée aux "mariages blancs" avec des ressortissants UE;

- NL offre un programme appelé Programme Tapis Orange (Programme VIP) qui vise à faciliter le traitement des sociétés membres.

## **2. Réunions LSC organisées en 2014-2015**

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

7 réunions habituelles (en avril, mai, juin, octobre, décembre 2014; février, mars 2015) ont été organisées dans la période de référence.

La participation des Etats membres représentés en Algérie aux réunions de coordination est en général nombreuse et régulière. BG, HR, RO, UK sont invités systématiquement en tant qu'observateurs pour échanger des informations sur des questions relatives aux visas.

Une réunion sur la fraude documentaire et le contrôle des documents de voyage avec les représentants des différentes sociétés de transport international qui opèrent en Algérie (Air Algérie, Aigle Azur, Lufthansa, Alitalia) a été organisée en juin 2014, avec la participation de pays-tiers non-membres de Schengen (BG, CA, HR, RO).

Une réunion conjointe "LSC" / "affaires consulaires" a été organisée en avril 2014 avec les représentants du CICR (le Comité international de la Croix-Rouge) en Algérie, portant sur les activités du CICR en Algérie (y compris sur les questions liées à l'analyse du risque en matière d'immigration et de sécurité) et les visites de prisons.

La Délégation de l'UE en Algérie a facilité l'organisation en octobre 2014 d'une réunion avec un ordre du jour mixte ("sécuritaire"/ "affaires consulaires" / "LSC") avec les représentants des autorités algériennes (MAE, services de sécurité) et des Etats membres de LSC, portant sur la situation de sécurité en Algérie et l'analyse du risque en matière de sécurité.

Les rapports des réunions LSC ont été établis systématiquement 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 concernés (FR, ES) 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 la mise en œuvre de la Décision d'exécution de la commission du 4.9.2014 établissant la liste des documents justificatifs devant être présentés par les demandeurs de visa en Algérie, ainsi que sur l'échange d'informations et des meilleures pratiques (concernant les cas de fraude et l'utilisation de faux documents, les statistiques des visas, les délais de rendez-vous, la collaboration avec les sociétés de transport, l'analyse du risque en matière d'immigration et de sécurité, la réadmission des migrants illégaux algériens, la coopération avec les ambassades d'Algérie pour la délivrance des

laissez-passer et l'identification des personnes, les intermédiaires dans l'obtention des visas Schengen, les cas de détournement de

l'objet de visa touristique, les visas pour des soins médicaux et pour des voyages à caractère culturel / sportif).

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

En septembre 2014, sur la base des travaux d'harmonisation de LSC, la COM a adopté la Décision d'exécution établissant la liste des documents justificatifs devant être présentés par les demandeurs de visa en Algérie.

La mise en œuvre de la Décision d'exécution de la commission a été discutée régulièrement dans les réunions LSC. L'ensemble des membres LSC ont confirmé l'application de la Décision.

Dans la perspective d'une révision ultérieure de la liste, plusieurs Etats membres ont proposé de supprimer toute référence à la réservation d'hôtel. Pour FR, cette disposition est une source de fraude, la quasi-totalité des réservations produites étant annulées dans les minutes qui suivent la délivrance du visa. Cette situation est à l'origine de nombreuses non admissions à la frontière. En revanche, d'autres Etats membres insistent sur le maintien de la réservation d'hôtel sur la liste, en particulier pour les visas touristiques.

Les membres LSC ont entamé également des discussions exploratoires sur la possibilité d'harmoniser la liste des justificatifs pour les voyages à caractère culturel/ sportif.

### **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 régulièrement et/ou ad-hoc, 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), la situation des accords avec l'Algérie pour la suppression du visa pour les titulaires de passeports diplomatiques ou de service, les tentatives d'achat de visas Schengen, le fonctionnement du système VIS.

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

Suite aux demandes de certains membres LSC, la Délégation de l'UE a préparé et distribué en janvier 2014 aux membres LSC un non-papier sur la migration, regroupant des différents éléments et informations présentées auparavant dans les réunions Schengen.

## **4. Défis**

*Réponses aux défis mentionnés dans le rapport 2013-2014*

- La mise en œuvre de la Décision d'exécution de la COM a été discutée régulièrement dans les réunions LSC. L'ensemble des membres LSC ont confirmé l'application de la Décision.

- La plupart des membres LSC ont publié sur leurs sites web la Décision d'exécution de la COM, pour assurer une plus grande visibilité des règles et procédures Schengen. Dans le même but, la Délégation de l'UE a informé le MAE algérien par rapport à l'adoption de la Décision d'exécution de la COM.

- Grâce aux mesures implémentées par les consulats, les délais de rendez-vous ont été raccourcis par rapport à 2013-2014 et ne dépassent pas en général 3 semaines, même pendant la haute saison (juin à octobre).

- La coopération et l'échange d'information entre les membres LSC se sont renforcés davantage. 7 réunions habituelles ont été organisées en 2014-2015, contre 5 réunions en 2013-2014.

*Points à traiter au cours du prochain exercice (2015-2016)*

- Proposer une révision de la Décision d'exécution de la COM établissant la liste des documents justificatifs devant être présentés par les demandeurs de visa en Algérie, sur la base des propositions des membres LSC.

- Expliquer aux autorités algériennes les objectifs et la méthodologie de l'adoption de la Décision d'exécution de la COM.

- Continuer les travaux d'harmonisation de la liste de justificatifs.

## **5. Divers**

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

Buenos Aires, June 15, 2015

## **LOCAL SCHENGEN COOPERATION (LSC) IN ARGENTINA 2014-2015 REPORT<sup>1</sup>**

### **1. Introduction**

There have been no changes in the number of MS present in Argentina since the last LSC report. Of the 28 EU MS, 22 have a permanent diplomatic mission which can handle visa applications (AT, BE, BG, CZ, DE, DK, EL, ES, FI, FR, HR, HU, IE, IT, NL, PL, PT, RO, SI, SE, SK, and UK). Out of the remaining six MS, CY, EE, LT, LV and MT have an honorary consul. AT is representing MT, while BE issues visas for LU according to a local representation arrangement. Of the four non-EU Schengen MS, CH and NO have diplomatic representations in Argentina which can issue Schengen visas. By virtue of local arrangements, NO issues visas for DK, IS and SE, while CH is competent for issuing visas for LI.

Currently, no country uses an external service provider for the collection of visa applications.

Given that Argentine citizens have the right to travel visa-free to the Schengen area for up to 90 days, Schengen visa applications are filed only by third country nationals. It is worth noting that Argentina is home to more than a million EU citizens, most of whom have double citizenship.

### **2. LSC meetings held in 2014-2015**

During the reporting period, one regular LSC meeting was held on November 20, 2014. The meeting took place at the EU Delegation and was chaired by it. The meeting was very well attended, with 19 of the 22 EU MS accredited in Argentina present, as well as the two non-EU Schengen member states represented locally.

The EU Delegation prepared the agenda and the report on the meeting and circulated the drafts among MS for comments before final approval. As far as we know, MS share the common reports with their capitals, and some of them draw up their own reports.

No LSC coordination was ensured in locations outside the capital because of the low sensitivity of the topic.

At the November 2014 meeting, as suggested by the Delegation, the LSC decided to create a small group to prepare a draft decision of the Commission on a harmonised list of supporting documents (see 3.2).

- **State of play**

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

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<sup>1</sup> April 2014 – March 2015

MS and the EU Delegation are generally well prepared to ensure the tasks to be carried out in LSC under the Visa Code. MS have not reported any specific problems with the implementation of the Visa Code.

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

MS agreed during the last regular LSC meeting to start preparing a harmonised list of supporting documents through a working group composed of the EU Delegation and volunteer MS (DE, ES, FR and IT).

Since Argentine citizens do not need Schengen visas for short-term stays, work on the list of supporting documents has been progressing rather quickly. The working group has met twice so far and has completed an initial draft, which will be presented to the rest of the MS at the next LSC meeting in June-July. The Delegation would be grateful to receive additional comments on the draft list from HQ before submitting it for approval by the MS.

### **3.3 Exchange of information**

Given that Argentine citizens do not require Schengen visas for short-term stays, visa statistics and information on travel insurance or cases of fraud are only exchanged on an ad-hoc basis.

The EU Delegation shares relevant documents through Agora (e.g. the new Council Directive 2015/637, agendas and reports of the LSC meetings, etc.), and coordinates the exchange of information on LSC by email whenever necessary.

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

No other LSC initiatives have been taken.

## **4. Challenges**

The challenges identified in the 2013-2014 report were insuring that regular LSC meetings (at least twice a year) are held and maintaining fluency in the exchange of information.

In 2014, a total of two regular LSC meetings were held, including one meeting which took place during the previous reporting period. Two meetings are planned for 2015 as well – one in June-July and another one in November. The Delegation and MS also managed to exchange information fluently throughout the reporting period.

The main subject to be addressed within the next reporting period will be the adoption of a harmonised list of supporting documents.

## **5. Other issues**

None to report.

*This report has been approved by all MS present in Argentina.*



EUROPEAN UNION

DELEGATION TO ARMENIA

Political, Economic, Press and Information Section

## LOCAL SCHENGEN COOPERATION IN DELEGATION TO ARMENIA 2014-2015 REPORT<sup>1</sup>

### 1. Introduction

At present 11 MS have resident embassies in Armenia; 6<sup>2</sup> of them (France, Germany, Greece, Italy, Lithuania and Poland) have consular sections issuing Schengen visas. All visa-issuing consular departments are in the capital, Yerevan.

A Visa Centre opened in Yerevan in January 2015 for people planning to travel to Estonia, Denmark, Hungary, Latvia, Lithuania, Greece and Spain.

On March 16, 2015 the Commission (C(2015)1585) adopted the Harmonized list of visa supporting documents for i.a. Armenia. March 23, 2015 was the start of implementation.

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<sup>3</sup> and Switzerland.

In the reporting period, Schengen meetings were coordinated by the EU Delegation.

### 2. LSC meetings held in 2014-2015

Several LSC meetings took place in the reporting period. The harmonized list of visa supporting documents remained the main agenda point. The meetings were well-attended with Romania and Bulgaria as observers. The EU Delegation chaired the meetings.

### 3. State of play

#### 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. As of March 01, 2015 Germany accepts only biometric photos.

#### 3.2 Exchange of information

Most of the embassies regularly sent their visa statistics and exchanged information on possible visa fraud and refusals. The Delegation compiled semi-annual visa statistics for DG HOME. The VIS roll out in the 17<sup>th</sup> Region, including Armenia, is scheduled for June 23, 2015.

#### 3.3 Any other initiative taken in LSC

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<sup>1</sup> April 2014 – March 2015

<sup>2</sup> Embassy of the Czech Republic opened a consular section after the reporting period

<sup>3</sup> Till April 2015

The delegation in cooperation with MS consuls prepared a common information sheet for visa applicants after the adoption of the harmonized list. Jointly with the MS the Delegation will

launch an information campaign to inform the general public about the VIS and its implications. A meeting with the relevant Armenian authorities is requested on the eve of the roll-out.

#### **4. Challenges**

The greatest challenges in the reporting period were:

- increased number of fake and forged documents and provision of false information

This concerns employment certificates, bank statements and hotel reservations and wrong information on family situation and visa history

- Armenian citizens can legally hold two passports: biometric and "ordinary"

Armenian citizens are allowed to have two legal national ordinary passports. This sometimes leads to visa fraud or other manipulations. The consuls underlined the need for revising the corresponding Armenian legislation.

- High rate of asylum seekers and rising migration risk due to certain circumstances
- Absence of a unified list of contact points in ARM institutions

The consuls were advised to liaise with the Foreign Ministry for each and every case that needs clarification, which is time consuming and sometimes not very efficient

- Lack of awareness by general public about Schengen visas in general

Applicants should know that Schengen visa is purpose-bound i. e. it must be used for the travel to the country for which visa was issued and for the purpose declared in application; the VFA is a facilitation agreement but not a visa abolishing one.

By the request of the consuls these issues were raised at the recent Joint Visa Facilitation Committee meeting in Brussels.



**EUROPEAN UNION**

DELEGATION TO AUSTRALIA

29 May 2015

## **LOCAL SCHENGEN COOPERATION (LSC) AUSTRALIA 2014-2015 REPORT<sup>1</sup>**

### **1. Introduction**

There are 21 Schengen countries represented in Canberra who regularly participate in the LSC Group (Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Malta, Netherlands, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden and Switzerland). In addition the Observer Countries also attend on a semi-regular basis. (Bulgaria, Croatia and Romania) with Cyprus taking part in all meetings)

We have continued to run back-to-back meetings with the Consular group, a formula which has been working well since its inception in October 2013 (and since 2014 non EU-Schengen Members also attend the Consular meeting following consent of the group).

### **2. LSC meetings held in 2014-2015**

There were two regular meetings of the LSC group held within the last six months of 2014 both chaired by the Head of the Political Section in the Delegation. The first meeting for 2015 took place in May 2015. The general attendance was very good. 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**

The application of the Visa Code does not seem to pose any major problems in Australia. The introduction of biometrics unfolded without major apparent hiccups. However, as reported earlier to HQ issues were raised with regards to visa applications from the Pacific Islands (which many Member States cover from Canberra). In the absence of a visa waiver for the Pacific Islands the introduction of biometric requirements meant that applicants from the islands have to travel to Australia to apply for visa – which requires them to get an Australian visa first and to cover the substantial travelling costs (flights in the Pacific are expensive). In light of that Member States encouraged the timely conclusion of the envisaged visa-waivers for a range of Pacific countries which would alleviate the current burden for applicants from the Pacific.

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

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<sup>1</sup> April 2014 – March 2015



Last year, the LSC decided that there was a need to harmonise the list of supporting documents. The EUDEL has subsequently launched a stock-taking exercise of which documents are currently requested by Member states. 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. Based on the assessment of that survey, we submitted to the group a draft list of harmonised documents and discussed it first in an informal working group and then in the most recent LSC plenary. Good progress has been made and we should have this finalised before the end of 2015. Once we have established a harmonised list of documents and have submitted this to HQ, we will also address the issue of 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 local 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 the harmonisation of the Visa Information Sheet. This was put on hold until HQ provided a new template. This new template arrived in early May and was presented to the LSC Group who, on the whole, thought the document was a good one, while proposing that some local adaptations were warranted (in particular in view of the fact that Australian passport holders did not have to apply for a Schengen visa while maximum periods for their stays still applied). Based on feedback from HQ we will finalise the Q&A for the purposes in Australia and put it on the website of EUDEL and the MS.

## **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. We also intend to reach agreement on the harmonisation of supporting documents. The EUDEL will now work towards an agreed list and will then address the issue of 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 has meant that people from the Pacific have had to travel to Australia (for which they will also need a visa), to apply for a Schengen Visa. The EUDEL advised the Group on the state of play of these agreements and we hope to see these issues resolved soon.

## **5. Other issues**

No other issues at present

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



15 May 2015/ Baku

**LOCAL SCHENGEN COOPERATION (LSC)  
IN AZERBAIJAN  
2014-2015 REPORT<sup>1</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 19 diplomatic missions of EU member states accredited to Azerbaijan (Spain and Estonia joint the family in reporting period). Denmark, Finland, Ireland, Malta, Slovak Republic, Slovenia, Portugal have their diplomatic representations accredited outside of Azerbaijan. From non-EU Schengen Countries Norway and Switzerland have diplomatic missions in Baku.

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. Netherlands has considered to open consular post in own diplomatic office but due to budgetary constraints, low number of visas and lack of direct regular flights this is still a pending option. 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).

In reporting period three of the LSC members (France, Italy and Lithuania) used external service providers. Lithuania is using VFS Global, France – TLS Contract, and Italy -VisaMetric. Czech finished preparations for use of the third party services (VFS Global) and the Visa Centre operates since April 2015. Norway is considering to use VFS Global as part of a framework agreement. Latvia also started preparatory work to use outsourcing. The Azerbaijan-German Chamber of Commerce is collecting and forwarding to German Consular office 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. Since January 2014 meetings have been held monthly. 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 ratification process of the EU-Azerbaijan Agreements on Visa facilitation and Readmission (signed in June 2014) was ongoing. The implementation of both Agreements started on September 1, 2014.

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<sup>1</sup> April 2014-March 2015

The Visa Facilitation and Readmission Agreements between Norway and Azerbaijan were signed on December 3, 2014. Sides started internal procedures for the ratification process.

Switzerland and Azerbaijan have finished negotiations regarding the Visa Facilitation and the Readmission agreements. The final text of both the agreements was approved by the Swiss government (Swiss Federal Council) in autumn 2014. But the initialling and signing procedures were postponed due to political reasons.

The absolute majority of all applicants are Azerbaijani citizens, but a very small group of third country nationals with temporary or permanent residence permits applied as well. In addition, diplomats of accredited embassies got Schengen visas. During the first year AZ's citizens took advantage of the visa facilitation regime, however, the tangible development was with officials and business people. As a result, Schengen consular posts achieved a very low rate of refusal (3,86%) and issued in 2014<sup>1</sup> up to 72,000, C and D type visas (including 22,000 multiple entry visas).

## **2. LSC meetings held in reporting period April 2014-March 2015**

In the reporting period, the LSC meetings were held regularly every month with exception of the summer holidays (June). As a result there were in total **11 regular meetings**: 9 in 2014 (02/04, 30/04, 26/05, 31/07, 27/08, 24/09, 29/10, 26/11, 10/12) and 2 in 2015 (30/01, 25/02). The meetings were all called upon and chaired by the representative of EUD. The LSC meetings are usually well attended, gathering between 8 to 12 MS on average. Among the Schengen member states accredited to Azerbaijan or residing abroad some attended the LSC meetings (Netherlands, Sweden, and Spain). All of them (BE, NL, EE, ES, SE) are nevertheless invited and debriefed on the outcomes of meetings. Bulgaria, Romania and U.K. participated as observers on the meetings upon the common agreement of the LSC participants.

In addition to LSC regular meetings, two ad hoc meetings were organised with the host country Consular Department. Two more meetings were organised on a specific subject (Consular protection of EU nationals in the case of emergency) by initiative of MS (German Embassy) on May 26, 2014, another one on extradition of foreigners to AZE and prison conditions on April 1, 2014, also by initiative of German Embassy.

Agendas, draft papers and agreed drafts of working documents drawn up by the EU Delegation were sent for consultation to all MS before circulating them to Brussels. The EUD distributed non-sensitive information via established Local Schengen distribution email 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 conclusions of respective meetings with their own hierarchy in embassies (DHoMs and HoMs meetings) and in capitals.

Meetings were mostly focused on three main topics; a) implementation of Visa Code; b) re-drafting of a harmonized list of supporting documents; c) preparations and implementation of Visa Facilitation Agreement. Consuls also addressed general issues in connection with the possible changes of the Visa Code, special visa regime for First European Games, introduction of VIS (June 2015) and forms of cooperation with host country. EUD and MS (Norway, Swiss) also debriefed on the state of play of the ratification process of Visa Facilitation/Readmission agreements.

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 developments on LCS and HoM's meetings.

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<sup>1</sup> January-December 2014

Some LSC consuls have direct access to the Information Sharing Forum on the Consular Online (CoOL) website and DG Home<sup>1</sup> extranet (EU Commission collaborative internet tool) and can follow uploads of Regulation and other official documents/reports prepared by DG Home regarding visa and migration policies, but majority of consular posts receive information exclusively from their capitals.

### 3. State of play

#### 3.1 Application of the Visa Code

The Visa Code is applicable since May 2010 and is being implemented by the Consular Offices of the Schengen states located in Azerbaijan.

Matters of mutual interest (refusal rate and reasons for refusal, harmonisation of visa processing time, fees and exemptions from fees) were covered in the context of the endorsement and mutual implementation of EU-Azerbaijan Visa Facilitation (VFA) and Readmission Agreements (RA). Consuls compared best and negative practices from member states and host country sides.

- the average refusal rate slightly increased for 2014/2015 period but remained very low (3,86%).
- the single refusal rates are ranging between 2-10%.
- waiting time for submitting applications decreased remarkably due to external service providers and varies from 1 day to 10 working days. No lanes outdoor anymore.
- processing time for all visas is very short and is less than 10 days (between 1 and 5 working days).
- the ratio for C type multi-entry visas (MEVs) was 31,5% (Swiss consulate was not able to provide statistics on MEVs and average number could be higher).
- the number of 3-5 years MEV is still very small, but growing.

The issuing of multiple-entry visas (MEVs) with a long validity accompanied by certain procedural facilitations was considered the only win-win solution for both sides. While Schengen countries started acting in the spirit of the concluded VFA prior to its official start, Azerbaijani consular services even after the official kick-off of VFA continued to ignore the long-term MEV applications and did not issue MEV longer than for one year pointing out restrictions in national legislation.

The processing time of visa applications in Schengen consular posts was far shorter than the time fixed in Visa Facilitation Agreement. Different approaches continue to be applied for the booking of meeting times in *Schengen consulates*. In general, it is easy to get appointments in consular posts with some minor exceptions due to (a) large nr of applications (FRA), consular posts (b) some peaks prior to local public holidays. Due to a new legislative network (agreements, harmonised list of supporting documents) and operations of few European low-cost airlines, MS are convinced that in next period the total number of visa applications and especially multi-entry visas will continue to grow. The active use of outsourcing services by half of MS consulates could help meet the growing demand. Consuls are concerned that this process has not yet been reciprocated by Azerbaijani colleagues.

- Workload: the number of visa applications handled per full time visa section staff member ranges from one to few hundred (for visa sections that have not outsourced the visa handling to external service providers). All consulates complained they were understaffed.
- The issuing of visas for minors and the consent of parents / legal guardian also differs in practice.

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<sup>1</sup> [http://ec.europa.eu/dgs/home-affairs/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/index_en.htm)

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 a permanent work in progress.

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

Drafting the harmonised list of supporting documents started in 2010 autumn. During the last reporting period, LSC submitted few semi-final versions of the harmonised list of supporting documents to DG Home for onward communication to Visa Committee meetings (March, June and November 2014) and the Visa Committee approved it on November 12, 2014 meeting and the final version of the list was formally adopted by Commission on March 16th, 2015. The final version was translated by the EU Delegation into the host country language and single version is used nowadays by all EU consular posts. However, other non-EU MS feel also 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.

### **3.3 Exchange of information**

LSC successfully utilise the system of information exchange between MS already for few years. The process has been handled relatively smoothly and the information system of LSC's is running efficiently. Consuls shared information and analysis of visa and asylum statistics, focused on relations with host country MFA consular department and distributed hotlines and emergency numbers with authorities, new system of Azerbaijani e-visas, the treatment of official notes from government bodies etc. MS exchanged data on suspicious applicants, on new consular initiatives or changes in Azerbaijan's visa policy, analysed best practices in particular Schengen countries, discussed surveys on migration and asylum topics, updated the contact list for LSC consuls etc. The EUD distributed non-sensitive information via established local Schengen distribution email 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.

- Monthly Statistics

Statistics, in line with requested format, are provided regularly to the EUD on a monthly basis (see attached Annex A –annual visa statistics). EUD then compiles these statistics into an annual overview. The absolute majority of MS provide the reports and information regularly. The process takes time and data are not always readily available. In addition, exchange of information took place a.o. on issues such as multi-entry visa statistics (how to showcase number of different multi-entry visas).

All however endeavoured (and succeeded) in providing data at regular intervals in I-st quarter of 2015. Statistical data on uniform visas, visas with limited territorial validity, airport transit visas issued as well as the number of visas refused is not collected locally on a regular basis.

- Annual statistics

In the framework of the local Schengen co-operation in Azerbaijan the compiled Schengen statistics for 2014 show that the number of visas issued in 2014 amounted to 71 889 which is a substantial increase as compared with 2013 (62010). Still the refusal rate remains low at 3,86%

(2014) and at the same time the number of multiple visas issued has increased substantially in line with the intention in the visa facilitation and readmission agreements.

- Cases of fraud

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, and false proof of ticket bookings or reservations for accommodation. MS paid special attention and deeply analysed some single cases with particular "problematic" groups of individuals (top officials, business managers, car buyers, sportsman, and individuals travelling for medical treatment or tourism purposes). MS generally act in real-time to inform others of persons holding several passports, visa annulments and/or migration alerts. Few cases of fraud with Chinese visas covering Schengen MS refusal stamps were reported. 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 prepared by MFA or other state institutions for official visits only initialled by the Consular Department (this has slowed down a verification process).

- 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 practices 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

MS lead by EUD established good conditions for start of regular dialogue with host country authorities on consular affairs and implementation of Visa facilitation and Readmission Agreements and hold 2 meetings in 2014 (19/08 and 26/11) with Azerbaijani MFA Consular Department staff. The regular formal exchange of information between the Azerbaijan's Ministry of Foreign Affairs and local consular is already reality, but MS are still willing to achieve higher level of mutual understanding and confidence.

- 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 asylum

According to the latest report (The Asylum Trends 2014 report) of the UN High Commissioner for Refugees (UNHCR) crisis in Syria and Iraq had no direct impact on the situation of refugees in Azerbaijan due to strict national migration policies. While globally the number of asylum seekers rose last year by 45%, in Azerbaijan asylum flows showed a downward trend. Approximately 10 years ago the number of people seeking refuge was 12,000, with most of them being Chechens. There are only around 1,500 refugees (2014) and asylum seekers in Azerbaijan. If in the world (2014) top 5 groups of asylum seekers are Syrians, Iraqis and Afghans, Serbians/Kosovars and Eritreans. However, in the host country some 46% of refugees and asylum seekers in Azerbaijan are Afghans, while 43% are Chechens, 5% are Iranians and the rest are the nationals of other countries. Major concerns related to foreign refugees in Azerbaijan include illegal employment, lack of education and healthcare. The second year of implementation by UNCHR for the Asylum Systems Quality Initiative in Eastern Europe and the Southern Caucasus (QIEE) has already positively affected the national asylum system in Azerbaijan. Azerbaijan in cooperation with UNCHR is seeking amendments to refugee legislation (subsidies system).

Schengen MS consulates continued to collect statistics on asylum seekers from Azerbaijan since 2010. They concluded that AZ is posing a risk of illegal migration but not like a transit country for third country nationals, but as a country of origin where some citizens are willing to emigrate from Azerbaijan to the Schengen area using authorised entry (tourism or private visas). According to UNCHR, the total number of asylum seekers from AZ to European countries and to EU rose last year accordingly by 7% and 8%, but absolute numbers (2617 out of 714, 234 to Europe and 2558 out of 570,799 to EU MS) and AZ's shares (0,36% and 0,44%) remains very small. Azerbaijan ranks 36th (33rd in 2013) for the number of asylum seekers in the EU and this rating is 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, Finland and Norway.

- Mobility partnership

The EU-Azerbaijan Declaration and action plan on Mobility Partnership have been signed in December 2013 and an implementation action plan was finalised in summer 2014. No remarkable actions involving MS consular posts have been initiated in reporting period.

- Training

The LSC in Azerbaijan has participated in the local training seminars which were organised by experts coming from single MS (Austria).

#### **4. Challenges**

- 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 to exchange information in matters of relevance to the LSC consuls to ensure standardisation of practices (for example regarding multiple visas and introduction of mandatory procedural facilitations and mandatory issuing of MEVs valid for at least three years for private visitors and subsequently for up to five years for regular travellers (defined as applicants who have previously lawfully used at least two visas that are registered in the VIS). The best possible option based on reciprocity bases identified would be mandatory issuing of MEVs immediately for five years to the majority of applicants (VIS registered applicants) by requiring only one lawfully used visa (within the previous twelve months prior to the date of the application) that is registered in the VIS.

- There was no tangible progress on the establishment of a common information sheet including MEVs statistics that would serve Joint Steering Committee as introduction of best practices /shortcomings. However, 3 countries (inc. DE) shared statistics on MEV.
- MS have not yet started enhanced cooperation between consular offices through exchange of personal/on the job training.
- During last reporting period no training sessions in Baku with participation of competent EU Commission DG, specialized agencies (Frontex) and regional MS experts meetings/seminars on LSC issues were organised.

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

- The DG Home experts informed the LSC MS that Visa Code could 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 final version of the Harmonisation of lists of supporting documents was adopted by Commission and MS will synchronize its implementation in the framework of the endorsed Visa Facilitation and Readmission Agreements.
- LSC will facilitate dialogue between MS and Azerbaijan's MFA Consular Department and create regular format (at least 2 meetings with LSC and participation as observers in annual Joint Steering Committee).
- LSC via EU MS will try to reach a higher degree of reciprocity and harmonisation of practices with Azerbaijan in the process of implementation of Visa Facilitation and Readmission agreements.
- Exchange of good practices regarding introduction of VIS (23 June 2015).
- Organise training sessions in Baku with participation of competent Commission DG and MS experts on relevant to LSC issues.
- Facilitate the increase of the number of Visa processing centres.

## 5. Other issues

- The Visa Information System (VIS) will become operational in Azerbaijan (being part of the so-called region 17<sup>th</sup>- Eastern partnership) on June 23, 2015. The main benefits of the system are simplification of the visa application process, reduction of processing time and improved security while reading of documents containing biometric security features. In general, MSs reported no problems with the VIS going live at their consular sections.





17 April 2015

## LOCAL SCHENGEN COOPERATION (LSC) in BELARUS 2014-2015 REPORT<sup>1</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. Since November 2013, a visa center operates in Minsk for the collection of visa applications for Denmark and Spain (responsible Consulates are located in Moscow). On 2 February 2015 Latvia opened visa application centers in Minsk and Vitebsk, using outsourcing company “Pony Express”. In January 2015 Lithuania in cooperation with external service provider VFS opened visa application centres in Minsk, Gomel, Grodno and Brest.

UK also opened a visa application center in Minsk which is operated by Teleperformance. The Center was officially opened in January 2015, but Teleperformance took over processing visa applications for UK already in March 2014 (in a temporary location).

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, as well as Estonia, France, Spain, Netherlands, Slovenia and Poland in Vitebsk consular district;
- Lithuania represents Greece in Belarus, as well as Estonia and (from 1 March 2015) Czech Republic in Grodno (for Grodno and Brest regions);
- Slovakia represents Portugal.

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

### 2. LSC meetings held in 2014-2015

During the reporting period, there have been four regular LSC meetings (May, September, November 2014 and February 2015) and one (on 13 March 2015) LSC meeting with the participation of DG HOME, on the occasion of the Visa Facilitation and Readmission Agreement (VFRA) negotiations in Minsk. DG HOME shared with the MS information on the ongoing VFRA negotiations, the Mobility Partnership with Belarus, global trends in visa statistics and on the revision of the Visa Code.

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

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<sup>1</sup> April 2014 – March 2015

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. UK attends on case by case basis. EUDEL draws up the meetings' minutes and disseminates the 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.

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**

Harmonization of practices under the flexibilities offered by the Visa Code is not always possible due to national instructions which do not contradict the provisions of the Visa Code, but are more detailed.

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

A Commission Decision establishing a list of supporting documents for Belarus has been approved on 29 April 2014 and is now legally binding for all the Member States. The EU Delegation monitors the implementation of the harmonized list by the Member States and the provision of unified information to the applicants. 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. Following the closure of 2014 statistics, one MS presented an overview and interpretation of visa trends since 2010 in the LSC meeting in March 2015.

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 issuing of visas.

After a meeting in February 2014 with the national association of carriers, EUDEL continued clarifying with them issues related to doubtful contracts or practices.

In December 2014 EUDEL contacted the Association of Insurers to clarify the issue of non-compliance with the Visa Code of the terms of insurance policy offered by Belgosstrach. As a result, the insurance policy has been amended and is now compliant with the Visa Code requirements.

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

In June EUDEL hosted a training session on fraud organised by the French Immigration Officer, for the consular staff in the Member states Embassies. App. 30 persons have been trained on fraudulent travel documents (passports, visas, etc.).

### **4. Challenges**

Work continued 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, 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).

**Subjects to be addressed within the next reporting period (2015-2016):**

- VIS roll-out has been postponed and is now planned for the 23 June 2015; information activities to start at the end of April 2015;
- Implementation of the list of supporting documents (art. 14 and 48(1)a);
- 24(2): Facilitation of issuing multiple-entry, long-term visa;
- Common criteria (art. 48(1)(b)) (visa fee waiver and translation of application form);
- Harmonisation of the application of visa fee waiver (art. 16(5) and (6)).

**5. Other issues**

*n/a*

*The report was approved by the Member States in silence procedure with deadline on 15 April 2016.*



**UNION EUROPEENNE**

DELEGATION EN REPUBLIQUE DU BENIN

**COOPERATION LOCALE AU TITRE DE SCHENGEN (LSC)  
A COTONOU (BENIN)  
RAPPORT<sup>1</sup> 2014-2015**

## **1. Introduction**

Pendant la période couverte par le présent rapport, certains changements se sont produits pour la délivrance des visas Schengen à Cotonou puisque l'Ambassade de Danemark a fermé ses portes le 1<sup>er</sup> juillet 2014.

A partir de juin 2015, la Belgique ne délivrera plus de visas Schengen, le poste d'agent visa étant supprimé au Bénin. La France représentera la Belgique pour le visa court séjour à partir du 1er juin. Des pourparlers sont en cours pour la représentation de la Suisse (qui était préalablement représentée par la Belgique).

En outre, depuis début 2014 (et comme mentionné dans le précédent rapport), l'Ambassade des Pays-Bas ne délivre plus de visas localement. Les demandes sont réceptionnées localement puis traitées par l'Ambassade des Pays-Bas au Ghana.

**Par conséquent, depuis le 1er juin 2015 au Bénin, seulement deux Etats Schengen ont des représentations diplomatiques habilitées à délivrer des visas à Cotonou: l'Allemagne et la France.**

Concernant le nombre de demandes traitées par les EM: la France traite environ 11.000 demandes par an, la Belgique 1.700 par an (y compris celles pour la Suisse), l'Allemagne environ 1.500 demandes par an.

## **2. Réunions LSC organisées en 2014-2015**

Depuis janvier 2013, la Délégation de l'UE assure la Présidence et le Secrétariat du groupe LSC au Bénin qui se réunit deux fois par semestre. Pendant la période d'avril 2014 à mars 2015, nous avons tenu 4 réunions Schengen (28/05/2014; 02/10/2014; 15/12/2014 et 17/02/2015) avec une participation des Etats Schengen présents au Bénin (y compris la Suisse).

La Présidence et le secrétariat du groupe est assuré par la DUE. Les rapports de réunions sont validés par les EM. 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**

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<sup>1</sup> Avril 2014 – Mars 2015

Les EM présents au Bénin appliquent le code des Visas en accord avec les instructions reçues par leurs autorités respectives. Les 3 EM délivrant des visas au cours de la période couverte par ce rapport utilisent le système VIS sans grandes difficultés à signaler. Cependant, et comme mentionné l'année dernière :

- 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, quand il y a eu un refus préalable (cas des 3 EM).
- Bien que le taux pour le visa Schengen soit le même pour les 5 EM (60€), la Belgique appliquait un taux de change inférieur à celui appliqué par les autres pays, ce qui implique une différence de prix d'environ 60 centimes d'euro par visa. La représentation belge ne peut pas changer la disposition car elle est appliquée depuis Bruxelles et automatisée.

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

- Les consulats continuent de constater des cas de fraude documentaire (relevés bancaires, fausses déclarations d'importation, fausses lettres d'invitation...). 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 3 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.

Le fait que les Pays-Bas ne délivrent plus directement de visas (cela revient à leur Ambassade au Ghana,) empêche l'harmonisation des documents qui avait été fait à Cotonou par tous les autres EM.

Une matrice de révision de l'harmonisation a été produite et partagée avec les EM pour vérifier l'harmonisation dans la liste de documents justificatifs.

### **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 présentés pour vérification et/ou consultation entre les différents consulats. Conformément à la demande des EM, l'entreprise 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) a participé à deux réunions (première partie des réunions) pour échanger sur des cas de fraudes documentaires, coordination et faciliter le contact.

Dans la même logique, le policier français en mission à l'aéroport est présent au cours des coordinations et informe les EM sur les éventuelles difficultés constatées.

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**

En janvier 2014, un réseau de trafic de passeports de service (personnes n'appartenant pas à la fonction publique mais en possession de vrais passeports de service et de faux ordres de mission (200 passeports)) a été démantelé suite aux interpellations de Béninois en France, en Suisse, au Togo et au Maroc. Ce trafic profitait du fait que la Suisse et l'Italie exemptent de visa Schengen les détenteurs de passeports de service ou diplomatiques.

Suite à ce constat, ainsi qu'à l'introduction récente de passeports biométriques, le groupe a sollicité les autorités pour mieux nous expliquer les mesures de contrôle de l'émission des passeports.

Une demande a été adressée au Ministère de l'Intérieur sans succès à ce jour. Par contre, suite à notre demande, le Ministère des Affaires Etrangères (Direction des Affaires consulaires) viendra briefier le groupe sur cette question lors de la réunion du 4 juin.

## **4. Défis**

Les défis suivant sont identifiés:

- Il convient de poursuivre la veille et la vigilance relative aux cas de fraude documentaire.
- Jusqu'en novembre 2015, vu le faible degré de fiabilité des passeports de service et diplomatiques, il reste un risque de nouveaux réseaux de trafic de passeports.
- Certains EM regrettent l'absence d'informations sur des problèmes constatés à l'entrée de l'espace Schengen (voyageurs avec visa mais considérés inadmissibles sur l'espace Schengen). Le Consulat Belge et l'Ambassade d'Allemagne reçoivent les données de la Police aux frontières mais ce n'est pas le cas de la France.
- En raison de la diminution à deux consulats délivrant des visas Schengen à partir du 1er juin 2015 (France et Allemagne), les possibilités d'échanges d'information et d'expériences seront plus limitées.
- Avec l'arrivée de passeports de service et diplomatiques biométriques et lisibles en machine, le nombre d'EM dispensant de visas les détenteurs augmentera. Or, les autorités béninoises reconnaissent elles-mêmes un faible contrôle du nombre de tels passeports en circulation et des règles d'attribution pour le moins floues (voir rapport LSC du 4 juin).

**LOCAL SCHENGEN COOPERATION (LSC) in  
BOSNIA AND HERZEGOVINA  
2014-2015 REPORT<sup>1</sup>**

**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 17 EU Member States and Schengen Associated States' diplomatic missions present in Bosnia and Herzegovina [Austria (AT), Bulgaria (BG), Croatia (HR), Czech Republic (CZ), Germany (DE), Greece (EL), Spain (ES), France (FR), Italy (IT), Hungary (HU), Netherlands (NL), Poland (PL), Romania (RO), Slovenia (SI), Slovakia (SK), Sweden (SE) and Norway (NO)]. The consular section of NL covers Luxembourg (LU) and Belgium (BE) in terms of visas, while the consular section of HU covers Lithuania (LT) and Estonia (EE), AT covers Malta (MT), SE covers Denmark (DK) and Slovenia covers Switzerland (CH) and Portugal (PT). Even though BG, HR and RO are not yet part of the Schengen area, the countries have diplomatic missions in Bosnia and Herzegovina and are invited to the LSC meetings<sup>2</sup>.

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

The year of 2014 was the fourth year when citizens of Bosnia and Herzegovina could travel visa free to Schengen area and BG 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 applicable for citizens which are holders of a BiH biometric passport. During the first year of the visa free regime in 2011, most of the applicants were citizens of Bosnia and Herzegovina, which had not yet changed their passports to a biometric one. At the time being, 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, visas were issued for a number of diplomats or holders of service passports from Pakistan, Palestine, Saudi Arabia, Iran, India and Kuwait.

**2. LSC meetings held in 2014-2015**

During April 2014 until March 2015, EU Delegation chaired three regular Local Schengen Cooperation meetings (3 April, 23 July and 15 December). The number of meetings remains relatively low, mainly due to the fact that most of the tasks from the Visa Code have been implemented already and things are proceeding well. In addition to the Local Schengen Cooperation meetings, an EU Member State (SI) conducts regular meetings on Local Consular Cooperation issues.

<sup>1</sup> April 2014 – March 2015

<sup>2</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.

The two main topics throughout the year remained: 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 NEAR]. AT, HU, NO, PL, RO and SE share the minutes of the LSC meetings with their Capitals, while CZ, EE, EL, ES, IT, NL, PL and SI report to the Capitals on certain issues. NL further shares the minutes with BE. 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. State of play**

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

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

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

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

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

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

Article 15 of the Visa Code says that health insurance shall be valid for all EU MSs and shall be valid for the entire period of stay. A common list of health insurance companies of Bosnia and Herzegovina exists and is still relevant.

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

The issue was dealt with during 2010.

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

##### **Visa statistics**

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

In 2014, there were 1,451 citizens who applied for a short stay visa C. There were 1,413 C visas issued out of which 1,184 were the multiple-entry visas. The highest number of applications was received by EL Embassy (218) followed by IT (212), HR (170), SI (165) and DE (149) Embassies. On the contrary, very limited number of applications was submitted to DK (1), SL (3) and NO (5).

From the total of 1,451 Schengen visas applied for in 2014 there were only 25 applications rejected going for a refusal rate below 3 %.<sup>1</sup> Similar as to the previous years, there were no applications for

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<sup>1</sup> The refusal rate is counted based on a difference between the number of visa applications submitted and the number of visas issued. The accuracy of the refusal rate count might be slightly modified by the fact that not all of the applications lodged in December were processed by the end of the month.



airport transit visas and only CZ (65), BG (23) and RO (15) Embassies issued visas with limited territorial validity (LTV). For further details please consult the table below.

### Visa statistics in BiH in 2014 (per EU MS and Schengen Associated State)

2014	A visas applied for	A visas issued	Multiple A visas issued	A visas not issued	C visas applied for	C visas issued	Multiple-entry C visas issued	LTV issued	C visas not issued/refused
AT (incl. MT)	0	0	0	0	77	63	58	0	13
BG	0	0	0	0	113	113	56	23	0
CZ	0	0	0	0	95	88	80	65	1
DE	0	0	0	0	149	147	146	0	2
DK	0	0	0	0	1	1	0	0	0
EL	0	0	0	0	218	216	216	0	2
ES	0	0	0	0	38	38	32	0	0
FR	0	0	0	0	30	30	30	0	0
HR*	0	0	0	0	170	170	113	0	0
HU (incl. LT,EE)	0	0	0	0	44	43	26	0	0
IT	0	0	0	0	212	208	208	0	4
NL (incl. BE, LU)	0	0	0	0	34	33	28	0	1
NO	0	0	0	0	5	5	4	0	0
PL	0	0	0	0	67	67	18	0	0
RO	0	0	0	0	15	15	0	14	0
SE**	0	0	0	0	15	13	3	0	0
SI (incl. CH, PT)	0	0	0	0	165	163	163	0	2
SL	0	0	0	0	3	3	3	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1451</b>	<b>1416</b>	<b>1184</b>	<b>102</b>	<b>25</b>

Furthermore, the table below shows the situation among the Schengen States month per month on visas applied for and issued in Bosnia and Herzegovina. The average of a short stay visa applied for is 121 per month, while the average of 118 short stay visas is issued per month. Out of the visas issued, 99 were the multi-entry short stay visas. Most short stay visas were applied for in June (246), while November (65) was the month when least short stay visas applications were submitted.

### Visa statistics in BiH during 2014 (month per month)

Month 2014	A visas	C visas applied for	C visas issued	Multiple-entry C visas issued	LTV issued	C visas not issued/refused
January	0	67	65	52	0	1
February	0	85	82	73	7	4
March	0	104	103	61	4	1
April	0	144	143	110	11	3

<b>May</b>	0	100	97	83	11	2
<b>June</b>	0	246	243	208	12	3
<b>July</b>	0	205	199	180	21	5
<b>August</b>	0	131	130	105	23	0
<b>September</b>	0	120	120	94	5	2
<b>October</b>	0	103	101	101	1	0
<b>November</b>	0	65	66	57	1	1
<b>December</b>	0	81	67	60	6	3
<b>Total</b>	<b>0</b>	<b>1451</b>	<b>1416</b>	<b>1184</b>	<b>102</b>	<b>25</b>

Comparing the figures with previous four years, 1,246 citizens applied for a short stay visa C in 2013 while 1,205 visas were issued. In 2012, 1,325 citizens applied for a short stay visa and 1,228 visas were issued. The figures could further be compared to the year 2011 when 2,161 citizens applied for a short stay visa C and 1,900 were issued. In 2010, when the visa regime was still in place, 102,234 citizens applied for a short stay visa C and 80,371 were issued.

Following the entering into force of the visa free regime there was a significant drop of short stay visas applications in 2011. During 2012 – 2013 the number of visas applied for and issued continued to decrease. In 2014, there was a slight increase in the numbers as compared to 2013. The number of applications for short stay visa was 16,45% higher in 2014 than in 2013 and the number of visas issued was 17,26% higher than in 2013.

### 3.4 Post Visa Liberalisation Monitoring Mechanism (PVLMM)

In November 2014, a Senior Officials Meeting in the framework of the Post-Visa Liberalisation Monitoring Mechanism (PVLMM) took place in Sarajevo. During the meeting representatives from several BiH institutions and authorities provided to the EU team an update on the implementation of the benchmarks of the visa liberalisation roadmap for BiH.

Until the end of the year, BiH has been able to meet all outstanding benchmarks including: the closure of unauthorised border crossing places at the border with Montenegro; setting up of the Agency for the Prevention of Corruption and Coordination of the Fight against Corruption; the establishment of an effective system for Police Data Exchange, also accessible to Prosecutors' offices throughout BiH; and the opening of a permanent centre for asylum seekers in Trnovo.

As far as the security of documents is concerned, it can be considered as harmonised with EU/ICAO standards and duly implemented. BiH replaced all old passports by new biometric documents of a second generation.

There has been also some progress referring to the domestic asylum and migration policy. A new Law on Asylum and a new Law on Foreigners have been drafted harmonising the national legislation with the EU *acquis*. Moreover, a permanent Asylum Centre in Trnovo was opened.

As for the number of manifestly unfounded asylum applications lodged by citizens of the Western Balkan Countries including BiH in several EU Member States and Schengen Associate Countries during 2014, it remains to be worrying.<sup>1</sup> Germany, the largest recipient of the Western Balkan visa-free asylum applications, adopted an asylum legislation change putting BiH together with Serbia and the Former Yugoslav Republic of Macedonia on a list of "safe countries of origin". This is

<sup>1</sup> For the analysis on the figures please consult the *Fifth Report on the Post-Visa Liberalisation Monitoring for the Western Balkan Countries in accordance with the Commission Statement of 8 November 2010* (published 25.2. 2015).

intended to reduce the number of asylum applications lodged by the nationals of the Western Balkan countries. The asylum legislation change entered into force on November 6, 2014.

In January 2014, amendments to the EU visa rules (Regulation 539/2001) entered into force introducing the so called Suspension Mechanism to ensure that visa free travel does not lead to irregularities or abuse. The mechanism allows, 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. Challenges**

##### **Subjects to be addressed within the next reporting period (2015 – 2016)**

Following the developments of the new visa code, which was presented by the European Commission on 1 April 2014 as part of a new visa package, it is expected that the LSC will have a set of new issues to implement once the visa package is adopted. However, the proposal has to be approved by the Council of the European Union and the European Parliament, which can realistically be expected in 2016 only.

The proposal aims to (1) Reduce the deadline from 15 to 10 days for processing and taking a decision; (2) Make it possible to lodge visa applications in other EU countries consulates if the Member State competent for processing the visa application is neither present nor represented; (3) Facilitate for regular travellers including mandatory issuing of multiple entry visas valid for three years; (4) Simplify application form and allow for online applications; (5) Make it possible for Member States to devise special schemes granting visas at the borders for up to 15 days in one Schengen State; (6) Make it possible for Member States to facilitate the issuing of visa for visitors attending major events; (7) Introduce a new type of visa (Touring-visa) allowing legitimate travellers to circulate in the Schengen area for up to 1 year (without staying in one Member State for more than 90 days in any 180-day period).

#### **5. Other issues**

##### **VIS – roll out**

The Visa Information System (VIS) became operational in BiH (being part of the so-called region 16) on September 25, 2014. The main benefits of the system are simplification of the visa application process, reduction of processing time and improved security while reading of documents containing biometric security features. In general, MSs reported no problems with the VIS going live at their consular sections.



**UNION EUROPEENNE**

**Delegación de la Unión Europea  
en Bolivia**

03 June 2015

**LOCAL SCHENGEN COOPERATION (LSC) in  
BOLIVIA  
2014-2015 REPORT<sup>1</sup>**

**1. Introduction**

Of the 8 Schengen Member States (MS) present in La Paz (Germany, France, Italy, Belgium, Sweden, Denmark, Spain, Switzerland), 5 are issuing Schengen visas in La Paz and 18 are represented by another MS. The visa issuing MS are Denmark, France Germany, Italy Spain. Denmark also issues visas for citizens from Colombia, Ecuador and Peru. Neither Belgium nor Sweden have ever had a consular section, while Switzerland closed down theirs in 2013.

The countries represented by another Schengen MS are: Estonia (represented by Germany), Sweden, Norway, Finland and Iceland (represented by Denmark), Malta and Slovenia (represented by Italy), Austria, Belgium, Czech Republic France, Greece, Latvia, Lithuania, Luxembourg Netherlands,, Portugal, Switzerland (represented by Spain). France's consular section, although represented by Spain, continues to process directly a limited number of visa applications. The General Consulate of Spain located in Santa Cruz is the only LSC consular sections situated outside the Capital city of La Paz.

All MS present in La Paz, except Germany, use an external outsourcing service provider for the collection of applications: VFS Global.

The total number of visa applications received in La Paz in 2014 (8.805) was 16% higher than the number received in 2013 (7.568). The average refusal rate in 2014 was 10,5%.

**2. LSC meetings held in 2014-2015**

Local Schengen Coordination Meetings are held back-to-back with the Consular meetings and have been held at regular interval (approximately every other month) at the premises of the EU Delegation. The meetings are called by the EU delegation. Honorary consuls joined only once in 2014. In February 2015, HOMs agreed Honorary Consuls will join three times a year starting from 2015 (i.e. at alternate LSC meetings).

Regular LSC meetings took place on 27 May, 28 October and 9 December 2014 and 24 February 2015. LSC meetings were chaired by the EU Delegation (Head of Political, Trade, Press & Information Section). Consular meetings were all chaired by IT.

The meetings were well-attended with an average attendance rate of 95% among the 5 embassies issuing Schengen visas in La Paz. The meetings focused on current topics such as attempted fraud

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<sup>1</sup> April 2014 – March 2015

and travel restrictions, the need to harmonise visa practices to prevent visa shopping and diverging treatments of visa applicants. The meetings also provided an opportunity to share information to further the coordination on a number of relevant and related topics, including security.

During the period under review, the EU Delegation was in charge of drafting of the agenda as well as the meeting minutes both for the Consular and the Schengen part. (For the Consular agenda, close coordination with the chair MS is maintained).

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

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

Statistics collected both centrally and locally in 2014 indicated substantial differences among the MS in La Paz on:

- Refusal rates: ranging from 0,5 % to 17 %;
- Average waiting time to get a visa: ranging from 2 to 15 calendar days;
- Workload: the number of visa applications handled per full-time visa section staff member ranges from 185 to 1743 (including visa sections that have outsourced the visa handling to the external service providers).

These differences may in turn indicate differences in visa practices – which could result in visa shopping insofar as applicants may be tempted to request a visa at an embassy known to have low refusal rates or short waiting times.

Given the small number of MS in La Paz, the LSC did not establish in 2014 any "ad-hoc" working groups based on the Visa Code Art 48:

- Art 48.1a – Harmonised list of supporting documents Art 48.1b – Criteria for exemptions from paying the visa fee
- Art 48.2 – Common Information Sheet
- Art 48.3a – Exchange of information on Monthly Statistics
- Art 48.3b – Exchange of information on Fraud and Migration Risks
- Art 48.3c – Exchange of information on Transport and Insurance Companies

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

During the reporting period, the LSC did not make any substantial progress in regard to the harmonisation of the lists of supporting documents. The work will resume in 2015.

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

The LSC meetings have been an opportunity to exchange information on a number of topics relevant for the issuing of Schengen visas, such as the statistical survey, travel insurances, fraud attempts.

Statistical data on uniform visas, visas with limited territorial validity, airport transit visas issued as well as the number of visas refused is not collected locally on a regular basis. The EU Delegation

together with the MS will ensure that exchange of statistics is made in conformity with Visa Code Art 48.3, compiling the data for 2014 (see point 3.1).

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

Security meetings were held back to back with LSC meetings (with participation of Consular and Security attachés) on occasion of visit from the EU-RSO based in Santiago – Chile.

## **4. Challenges**

Two main challenges for the LSC in Bolivia

### *1) The high discrepancy in refusal rates and average waiting time to get a Schengen visa*

More information is needed in order to better understand and analyse the substantial differences in refusal rates and average waiting time among the MS (see point 3.1). This information will be collected during the coming reporting period.

### *2) The finalisation of the list of harmonized supporting document.*

An initial draft was submitted to HQ in October 2013. The Visa committee met in December 2013 and Comments were received in January 2014. Concrete progress in discussions was hampered in 2014 by staff rotation both in the Delegation and in key MS.

## **5. Other issues**

Nothing to report.



**EUROPEAN UNION**

**DELEGATION TO BRAZIL**

Brasilia 14 May 2015

**LOCAL SCHENGEN COOPERATION (LSC) Brasilia/BRAZIL  
2014-2015 REPORT (May 2014 – March 2015)**

**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, 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** (Estonian representation in Brasilia does not issue visas 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 limitations of the consular department at the Embassy in Brasilia, all visa 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 Schengen representation for Latvia at the Consulate General in Curitiba)
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. One 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 EU DEL, it is impossible to coordinate Local Schengen Coordination 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, EU DEL focuses on the two most numerous and active groups in Sao Paulo and in Rio de Janeiro.

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

Between May 2014 and March 2015) four LSC meetings were held in the capital Brasilia in: May 2014, September 2014, December 2014 and February 2015 (the next LSC meeting will take place in June 2015)

The LSC group always meets at the EU Delegation in Brasilia and depending on the meeting the attendance is good (some 50% of MSs) or very good (80% of MSs). LSC meetings are chaired by the EU Delegation. Minutes and follow up are dealt with by the chair. 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 the local consular work. VIS was implemented in Brazil and the requirement for collecting biometric details complicated things for some visa applicants, who now have to travel to (more distant/ fewer) Embassies/Consulates.

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. However, the differences in fees are not significant and they do not 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**

Work is ongoing. In December 2014 LSC in Brazil reached an agreement on the draft list of harmonised documents, which was shared with DG HOME.

In April 2015 a report from the Visa Committee meeting was prepared, with regard to the proposal from LSC Brazil. This report has been approved by the members of the Visa Committee (MS' central authorities). The LSC in Brazil is now invited to re-examine their contribution in the light of the comments made. This will take place during the next LSC meeting in Brasilia on 11 June 2015.

### **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. 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 MS Embassies and Consulates located outside the capital Brasilia is not always ideal. The EU Delegation, upon request, shares information with the consular offices outside the capital Brasilia.

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

EU Delegation and the MS consuls have been receiving numerous questions from Brazilian nationals about a possibility to remain as a tourist within different Schengen States for more than 90 days (which is not possible under the EU-Brazil Schengen visa waiver agreement). In Brazil, in principle, the period of stay of EU citizens cannot be extended either (number of EU citizens of various nationalities were denied extension beyond 90 days and the Foreign Ministry Immigration Division argued reciprocity with the Schengen Area). On the other hand, there were also cases of EU citizens, who had the initial 90-day period renewed by the Brazilian Police for another 90 days (what seems to indicate a case by case approach).

#### **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 *acquis*. 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.

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*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.*



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

**RAPPORT CAMBODGE - April 2014-March 2015**

**1. Introduction**

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

- France : Belgique, Estonie, Grèce, Islande, Malte, Norvège, Portugal, Slovénie, Espagne et Suède; FR représente également la Suisse pour les visas Schengen.
- Allemagne : Autriche, Finlande, Italie, Luxembourg et Pays-Bas.

Les Pays Schengen non-représentés sont: Danemark, Hongrie, Lettonie, Liechtenstein, Lituanie, Pologne, République Tchèque et Slovaquie.

La Suède dispose d'une Ambassade à Phnom Penh, mais elle n'est pas pourvue d'un service de délivrance de visas.

La coordination de la coopération locale Schengen (LSC) est assurée par la Délégation de l'Union européenne (EU DEL).

**2. Réunions LSC organisées en 2014-2015**

La LSC s'articule depuis 2011 autour de l'EU DEL, qui en est le coordinateur unique. Les ambassades de FR et DE sont en contact régulier pour des problèmes spécifiques.

Deux réunions LSC se sont tenues respectivement en avril et en novembre 2014.

Pour rappel, FR et DE ont élaboré une note d'information commune sur la procédure « visa » et l'ont diffusée lors de la mise en application du code communautaire des visas le 5 avril 2010.

Les sujets abordés au cours des réunions LSC portent sur la coopération Schengen sensu stricto (répartition des Etats Membres 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, ainsi que sur le contexte propre au Cambodge, pays où l'économie est à 70% informelle : fraude documentaire à l'état civil, pression migratoire, justification des ressources des demandeurs qui reste une question majeure.

Notons qu'il n'y a pas de coordination LSC en dehors de la Phnom Penh puisque les postes consulaires ne sont présents qu'à la capitale 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 ses locaux à disposition.

La mise en application du programme VIS n'a pas créé des changements significatifs, sauf pour l'Ambassade DE qui utilise désormais la prise de données biométriques (empreintes digitales) pour d'autres Etats membres.

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

L'harmonisation des éléments suivants n'est pas encore atteinte :

- Taux de change;
- 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 réalisée depuis avril 2010.

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

Les échanges d'information entre EM portent principalement sur :

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

EU DEL transmet régulièrement aux EM, les compte-rendu des réunions du Comité des visas qui se tiennent à Bruxelles sous l'égide de l'Union européenne.

### **4. Défis pour 2015-2016**

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 systématisée dans un contexte d'augmentation importante du nombre de demandeurs (pour FR: 30% de plus en 2014 par rapport à 2013, avec 4733 visas délivrés pour 5613 demandes);
- Harmonisation des 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 « visas shopping » peuvent être introduites auprès des deux représentations (FR et DE) au Cambodge.

Il avait été rappelé en 2013 déjà que la compétence d'un EM 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 des taux de change est fortement souhaitée.

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

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Yaoundé /22 mai 2015

## **COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC) AU CAMEROUN RAPPORT<sup>1</sup> 2014-2015**

### **1. Introduction**

Six Etats Schengen sont représentés 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. Certains pays Schengen ont des accords pour en représenter d'autres (la Belgique avec l'Autriche, le Luxembourg, les Pays-Bas et la Norvège; la France avec la Grèce, la Lettonie, la Lituanie, Malte, la République tchèque, la Slovénie; l'Espagne avec le Portugal et la Slovénie; l'Allemagne avec l'Estonie, la Hongrie, la Slovaquie et le Danemark; l'Italie avec la Suède). Seules 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>2</sup>. Au total 19283 visas Schengen ont été délivrés au Cameroun en 2014 (9014 par la France, 3080 par l'Italie, 2770 par l'Allemagne, 2555 par la Belgique, 934 par la Suisse et 932 par l'Espagne).

### **2. Réunions LSC organisées en 2014-2015**

Cinq réunions de coordination locale Schengen ont été organisées au cours de la période de référence. Les Etats Schengen participent régulièrement à ces réunions, qui sont présidées par la Délégation (Chef de la section Politique, information, économie et commerce). 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 ou de produire le compte rendu.

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

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

Environ 24h sont nécessaires pour obtenir un rendez-vous pour un visa français, espagnol ou italien alors qu'il faut deux semaines pour l'obtenir à l'Ambassade de Suisse. FR enregistre environ 45 demandes par jour contre une cinquantaine par semaine pour IT (dont Vatican) et ES. Les délais sont plus longs pour l'Allemagne qui fait face à un afflux massif de demandes (visites, regroupement familial, études) et qui par conséquent est en train d'augmenter ses capacités.

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<sup>1</sup> Avril 2014 – mars 2015

<sup>2</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.

Le déploiement du VIS au Cameroun est effectif à compter du 14 mars 2013. Les participants ont relevé quelques difficultés avec le système. En fonction des divers systèmes nationaux (chaque pays a son propre logiciel), certaines informations n'apparaissent pas pour tous. Les membres de la LSC sont d'avis que le passage à un système commun serait bénéfique. En outre, les participants doivent pour l'instant avoir recours à des mails informels car tout le monde n'a pas encore accès à VIS MAIL.

Il a été relevé que les pratiques sont parfois légèrement différentes quant aux procédures de refus des visas. Certains pays ont l'obligation de motiver tous leurs refus d'accorder un visa à l'aide d'un formulaire spécifique qui est joint au formulaire Schengen habituel. Sur la question des recours, les démarches varient sensiblement d'un pays à l'autre qui autorisent ou non les recours gracieux, administratifs et/ou judiciaires.

Les participants ont également échangé sur la pratique consistant à apposer des marques distinctives sur les passeports qui était l'un des sujets proposés par les autorités camerounaises pour la discussion au Groupe de Travail Migrations UE-Cameroun tenu en novembre 2014. La majorité des participants n'a pas souhaité voir de changement dans la pratique actuelle. Cette pratique consiste à apposer un cachet de « recevabilité » (et non de refus). Elle est conforme au code de visa Schengen et devrait être utilisée jusqu'à ce que VIS soit pleinement opérationnel dans toutes les régions.

### **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.

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

Les échanges d'informations par le groupe ont porté avant tout 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, faux relevés bancaires, etc.).

Les Etats Schengen sont généralement satisfaits des échanges durant les réunions et par e-mails entre les consulats.

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

La Suisse a présenté deux accords conclus avec le Cameroun: l'accord de réadmission et l'accord levant l'obligation des visas pour des passeports de service et diplomatiques. Entré en vigueur le 26 octobre 2014, l'accord sur l'abolition des visas nécessite un suivi dans son application. Les Etats Schengen n'ont pas rapporté d'anomalies à cet égard.

#### **4. Défis**

L'un des défis identifiés pour l'année 2014-2015 était lié à l'approfondissement des échanges avec les pays non-membres de Schengen, notamment la Turquie. Une réunion a été donc organisée avec la participation du consul de Turquie au Cameroun. Les échanges ont porté sur la délivrance des visas Schengen et turcs au Cameroun. La Turquie s'est notamment intéressée à la question des faux visas Schengen circulant au Cameroun. Les participants ont considéré que ceux-ci étaient nombreux et ont indiqué à la Turquie qu'il était possible de leur envoyer les versions scannées des visas douteux pour qu'ils effectuent un contrôle grâce à la base de données commune.

La fraude à l'état civil constitue toujours 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 réunion dans le cadre de la CLS a été donc combinée avec la présentation par l'enquêteur de terrain à l'Ambassade de Belgique financé sur budget FRONTEX. La fonction d'enquêteur de terrain a démarré en octobre 2009 et fait l'objet d'un contrat de 18 mois non renouvelable. Le travail d'enquêteur consiste à réduire le flux de l'immigration illégale à travers la lutte contre la fraude à l'identité et/ou la fraude documentaire. En dehors des documents des candidats au visa pour la Belgique, il reçoit parfois des demandes de vérification des Etats membres de l'UE tels que : l'Espagne, la Suisse, le Luxembourg, les Pays-Bas et la France.

#### **5. Divers**

Ce rapport a été préparé par le Délégation de l'UE et approuvé par l'ensemble des représentants des Etats Schengen présents au Cameroun.

Ottawa, 1 May 2015

**LOCAL SCHENGEN COOPERATION MEETINGS  
OTTAWA, CANADA  
2014-2015 REPORT**

## **1. Introduction**

Local Schengen Coordination (LSC) Meetings are held in the Delegation's Boardroom every two months except during the holiday period, usually back to back with the Consular cooperation meetings.

Nearly all Schengen Member States are present at the LSC Meetings, either by Embassy representatives (some of whom are not Consular officers/not issuing Schengen visas) or by Consular officers in Ottawa. In some instances, Consular representatives from other cities also attend. The Luxembourg Honorary Consul has been participating in the meetings at the request of the Embassy of Luxembourg in Washington which is accredited to Canada, 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. Denmark has been outsourcing visa processing since 2013.

## **2. LSC meetings held in 2014-2015**

Local Schengen Coordination Meetings were held in Ottawa on 10 April, 12 June, 9 October and 11 December in 2014; and on 12 February in 2015. All were well attended.

The notice of Meeting, the draft Agenda and draft and final minutes are sent via AGORA thus encouraging meeting participants to regularly use this Member States' information tool. AGORA is now used with regularity and all Member States are versed with it.

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, the usual practice is that the Chairs of both groups meet some days in advance of the meeting in order to check on possible agenda items and ensure synergy.

There are regularly third party presentations to Consular and Schengen groups together who introduce and animate discussions on topics of relevance. Those presentations take place between both meetings, so that participants of either group can attend.

*Guests invited during the reporting period have been:*

a) Office of Protocol of the Department of Foreign Affairs, Trade and Development (DFATD) on Diplomatic visas and Privilege issues



- b) Canada Border Service Agency (CBSA) and Citizenship and Immigration Canada (CIC) on procedures for students and interns to enter into Canada, and
- c) VFS Global (private company) on visa processing outsourcing.

Member States generally 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.

The introduction of the Visa Information System took place in Canada during the reporting period. The introduction went very smoothly with just a few punctual issues regarding the collection of finger prints (due to technical issues of the equipment or physical issues of the applicants).

It is worth noting that the need to provide biometric data (finger prints etc.) as part of the implementation of the Visa Code could pose a logistical and financial problem to a number applicants needing Schengen visas (this would apply to non-Canadians residing in the country). Canada is a very large country with a high number of immigrants and the need to be physically present at a Consulate/Embassy to provide biometric data often implies a high cost of in-country travelling/flights e.g. residents of British Columbia, in some cases are obliged to fly to Ottawa, a five hour flight, in order to process the Schengen visa application.

Under the coordination of the Delegation, a table with all Schengen Member States' visa issuing posts has been prepared by the group and is available for background information in the AGORA repository system.

The table shows concentration of consulates in larger cities, while large areas of the country are scarcely covered. This fact, together with the discussion on outsourcing of visa processing, has contributed to reflection on possible alternatives to alleviate this situation, such as some MS representing others with regard to collecting biometric data and visa issuance, or outsourcing arrangements.

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

The list was finalised during 2013 and has not been re-assessed during the current reporting period.

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

The LSC group agreed in 2014 to implement the exchange of statistical information on a quarterly basis, and an ad-hoc mechanism has been put in place and used during the reporting period.

On the basis of practice developed in other Delegations the data collection table with quarterly statistics has been updated to make it more user friendly, both for the Member States to provide the information and for the final reader.

To be noted that in a relatively low risk and visa free country like Canada the local exchange of visa statistics (even on a quarterly basis) is cumbersome and of limited practical use.

No issues have emerged during the reporting period regarding possible cases of fraud or travel medical insurance.

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

N/A

## **4. Challenges**

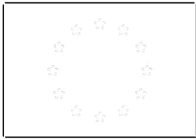
The implementation of the Visa Information System (VIS) which took place during 2014 was the main challenge identified at the last reporting period; as indicated above, the implementation of the System has taken place very smoothly and is currently fully operational.

The need to be physically present in the consulates for finger prints could become a hindrance for a number of visa applicants. Some discussions have already taking place among Member States in order to facilitate the process, such as bilateral processing agreements between Member States or outsourcing to third parties, as mentioned earlier.

## **5. Other issues**

While it is of no direct relevance to the Local Schengen Cooperation it is worth noting that a number of Member States now require finger prints for issuing national visas, which in this case would apply to Canadians as well. The expertise available in the consulates for processing the Schengen finger prints is proving of great help to that end. However, on the other hand side, the wide application of this measure will encounter the logistical difficulties mentioned above for Schengen visas and risks deterring Canadians to ask for national long term visas e.g. for long duration travel or exchanges.

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



22 May 2015

## LOCAL SCHENGEN COOPERATION (LSC) in PRAIA, CAPE VERDE 2014-2015 REPORT<sup>1</sup>

### 1. 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 two documents entered into force simultaneously, on 1<sup>st</sup> Dec 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.

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

- ES: representing no other country;
- FR: representing no other country (for long stay visas)<sup>2</sup>;
- LU: representing no other country (for long stay visas);
- PT: representing AT, BE, CZ, DE, FI, FR, IT, LU, NL, NO, SE, SI, SK (for Schengen visas).

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**.

**PT took up the representation of SK as of 02/062014.** On 01/11/2014 **Norway joined the CCV** becoming the 14<sup>th</sup> Schengen area Member State represented at the Center (and the 1<sup>st</sup> non-EU country). **The CCV currently issues Schengen visas on behalf of AT, BE, CZ, DE, FI, FR, IT,**

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<sup>1</sup> April 2014 – March 2015

<sup>2</sup> Between 1<sup>st</sup> of March 2014 and 31<sup>st</sup> of July 2015; FR Embassy in Praia announced that on 31<sup>st</sup> of July 2015 it will close its consular section.

**LU, NL, NO, 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 regular duty trips with specialized equipment to Sal, S. Vicente and Boavista islands to **collect biometric data** from the visa applicants.

Despite temporary difficulties the CCV was financed by three consecutive projects. The last one (3<sup>rd</sup>) started on 01/09/2012 and ran till 02/2014. An extraordinary extension to the last financing project was granted until 31/07/2014. PT declared its commitment to finance the Centre after the end of the extension. At the same time, PT applied for the financing by the European External Border Funds (EEBF) and this possibility is still under examination. PT MFA assumed the financing of the CVC as of 01/08/2014 independently from the final decision regarding the financing through EEBF.

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, HU<sup>1</sup>, IT, UK, NL, RO and SV.

**Important changes in CV legislation** in the reporting period included:

- new law on the **National Identity Card** for the CV citizens (Decree-Law 19/2014 of 17 March 2014)
- new law on **Residence Permit for Foreigners** (Decree-Law 20/2014 of 17 March 2014)
- new law on **CV passports** (Decree-Law 21/2014 of 17 March 2014)

The above mentioned Law-Decrees are a materialisation of the National System of Civil Identification and Authentication (Law no. 43/VIII/2013 of 17 September) that aims to implement in the CV society a new legal framework that encompasses the international tendencies in this field.

At the national level, the main objectives are the **creation of more reliable and secure identification documents, with the use of biometric information according to the international and European standards and tendencies** (notably, the ‘Smart-Borders’ Package promoted by the European Union) and the creation of new paradigms in order to provide a better and improved public service.

At the international, and particularly, the EU level, the main objectives are to better safeguard the national borders in the cooperation with the EU in the framework of the Special Partnership. Therefore the harmonization of the regulations regarding the National Identity Card, the Residence Permit for Foreigners and the CV Passports with the best international standards was necessary.

- new **Immigration Law** (Law 66/VIII/2014 of 17 July 2014)

The Law defines the juridical regime for entrance, permanence, exit and expulsion of foreigners from the Cabo Verdean territory as well as their juridical situation. It applies to the foreigners and

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<sup>1</sup> As of 17<sup>th</sup> May 2014

stateless person but does not apply to the refugees (asylum), diplomatic, consular agents and to the members of diplomatic missions and their family living in Cabo Verde. It implements the objectives of the Mobility Partnership agreement, namely the ones concerning the fight against the illegal migration and trafficking of human beings, as well as problems raised by the readmission and return policy with the safeguard of human rights of the migrants.

The new laws, although approved, have **not yet been implemented** and there is no clear forecast regarding their effective execution (i.e. issuing of secured documents etc.). Despite the technical delays, the new regime is a positive sign of harmonization of the CV legislation with the highest international standards.

## 2. LSC meetings held in 2014-2015

In the period covered by this report, 8 LSC meetings<sup>1</sup> 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 were 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.

A representative of Brazil attended an *ad hoc* meeting concerning general migration affairs, legal issues, consular assistance/security affairs and human rights. A representative of NL resident in Dakar also joined one of the LSC meetings.

## 3. 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, as previously reported, 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 also remains valid.

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

The **harmonized list of supporting documents has been adopted** by the *COMMISSION IMPLEMENTING DECISION C(2014) 6146 of 3.9.2014 establishing the list of supporting documents to be presented by visa applicants in Cape Verde, Kenya and the Philippines*.

The LSC in Praia did not report the need to amend the list.

### 3.3 Exchange of information

The following information is regularly exchanged within the LSC:

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<sup>1</sup> Meetings focused exclusively on consular assistance/security issues are not included.

- 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, consular assistance, etc.)

Information sharing works very well in the group.

### 3.4 Any other initiative taken in LSC

In the context of the volcano eruption on Fogo Island as well as the sinking of the ship Vicente between the Islands of Fogo and Brava, consuls exchanged extensive information on emergency / health care / funeral services available in various islands of the archipelago.

## 4. Challenges

- The issue of **international adoptions of CV minors by the EU citizens** is still considered as discouraging and difficult; the situation seemed to be slowly improving. The establishment of a consultative body in line with the Hague Convention, although initially foreseen in September 2014, has not been concluded yet so the implementation is delayed.
- **Common Visa Centre** needs long-term sustainability. PT (managing the Centre) applied for the financing from the European External Border Fund and this possibility is still being examined. For the moment, PT treasury keeps all the receipts from the Schengen visas issued on behalf of 14 MS and in return PT finances all the costs of the CVC. **The LSC recalls the need to calculate the average indirect costs of handling a single visa application.**
- Over the last reporting period the LSC noted a **constant rise of fraud and increasingly sophisticated forgery methods**. CVC's hi-tech anti-fraud document laboratory effectively helped the detection of many cases of forged documents. The LSC also alerted about **a few cases of authentic documents issued by CV authorities but containing false data**. All suspected cases have been reported to Judiciary Police. **It is important to effectively detect and prevent this kind of crime, especially in the context of the VFA, in force since 01/12/2014.**
- LSC is looking forward to receiving from the COM the finalized Implementation Guidelines **of the EU-CV Visa Facilitation and Readmission Agreements, which entered into force on 01/12/2014**. Namely, information about a monitoring mechanism of the implementation of the Agreements would be particularly useful.

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



13 May 2015

## LOCAL SCHENGEN COOPERATION (LSC) CHILE 2014-2015 REPORT<sup>1</sup>

### 1. Introduction

In Chile, Local Schengen Cooperation (LSC) is carried out with 17 countries: 15 Member States (Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, the Netherlands, Poland, Portugal, Spain and Sweden) and two associated states (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), Germany (Malta), Italy (Portugal) 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 enter the Schengen area when staying 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 2014-2015

One meeting has been organised since April 2014 (in June 2014).

Attendance by Member State representatives was good. Romania is able to attend as an observer, but did not participate in the meeting.

The Head of the Policy, Press and Information Section of the European Union Delegation in Santiago chaired the meeting held in June 2014. The EU Delegation, in cooperation with the Member States, coordinated the meetings and drafted agendas, gathered information, produced reports, etc.

The Member States do not, apparently, produce their own reports but, as provided for by the Visa Code, they share common reports produced by the LSC in Santiago with their capital cities (the reports are sometimes translated in the embassies).

Member States apparently pass on relevant information from the LSC to their consulates.

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<sup>1</sup> June 2014–April 2015

### **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.

Discussions were held on the following issues:

- Visa Code: The Schengen Advisers noted that there have been no problems with implementing the Visa Code.
- Visa Information System (VIS): this was introduced in Chile in September 2013. The Member States commented that their experience with VIS has been positive. As of April 2015, almost all the Member States are using the system, with the exception of Portugal (visas for Italy), Denmark (visas for Sweden) and Hungary (visas for Switzerland).
- Other issues discussed included progress in relation to European legislation on visa exemption programmes. The countries were also given an update on progress relating to the inclusion of Peru and Colombia on the list of third countries whose citizens do not require a visa to cross borders.

#### **3.2. Assessment of the need to harmonise the list 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 in the LSC**

An information session on the EU's 'Consular OnLine' platform was held via videoconference with Nicola Delcroix, Head of the Consular Crisis Management Division.

The consular coordination group chaired by Greece was relaunched. Following the earthquakes in April 2014, the Netherlands set up a working group on cooperation in times of crisis.

### **4. Challenges for 2015**

The topics to be addressed during the next reference period include 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 Head of the Administration Section of the European Union Delegation has been responsible for Local Schengen Cooperation since April 2015.



18/5/2015

## LOCAL SCHENGEN COOPERATION (LSC) in BEIJING, CHINA 2014-2015 REPORT<sup>1</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>2</sup>. 20 Schengen members have consulates in Shanghai, 11 have consulates in Guangzhou, and several also have consulates in Chengdu, Wuhan, Shenyang and Chongqing.

Three external service providers (TLS Contact, VFS Global, and VisaMetric) are used by several Schengen states for the collection of visa applications. 14 Schengen states<sup>3</sup> have outsourced the collection of visa applications in Beijing. 14 Schengen states are using outsourcing in Shanghai<sup>4</sup>, 11 in Guangzhou<sup>5</sup>, three in Chengdu<sup>6</sup>, two in Shenyang<sup>7</sup>, one in Wuhan<sup>8</sup> and two in Chongqing<sup>9</sup>.

Demand for Schengen visas in China is on a steady increase. From 2007 to 2013 the number of visa applications rose by 160%. In 2014 only, the number of visa applications grew by 20% to 1,8 million and Schengen countries issued over 1,74 million visas. The refusal rate dropped significantly to 3% (from 3,9% in 2013). Today, China accounts for 11% of the total share of Schengen visa applications and issuance.

The number of mainland Chinese tourists traveling abroad has increased from 8,4 million in 1998 to 114 million in 2014. With a year-on-year growth rate of 17%, China stays on top as the world's fastest growing outbound markets. Given that only about 5 percent of China's population of 1.3 billion is currently estimated to hold a passport, it is only going to get bigger. In the next five years, China Tourism Academy (CTA) predicts the nation's total number of outbound tourists will rise to 150 million annually.

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<sup>1</sup> April 2014 – March 2015

<sup>2</sup> Liechtenstein is represented by Switzerland in Beijing, Shanghai and Guangzhou.

<sup>3</sup> Italy, France, Belgium, Hungary, Malta, Denmark, Germany, Austria, Spain, Norway, Greece, Portugal, Netherlands, and Sweden.

<sup>4</sup> Italy, Belgium, Denmark, France, Greece, Spain, Austria, Sweden, Switzerland, Norway, Netherlands, Hungary and Malta

<sup>5</sup> Italy, Belgium, Denmark, Germany, France, Austria, Greece, Spain, Switzerland, Norway, Netherlands.

<sup>6</sup> Germany, France and the Netherlands.

<sup>7</sup> France and Germany

<sup>8</sup> France

<sup>9</sup> Denmark and Hungary

In this context, LSC in Beijing shows considerable interest in migration and mobility issues with China, with a strong focus on increasing numbers of Chinese tourists through facilitating visa issuing procedures. This interest is further increased by the fact that last year China signed visa exemption or facilitation agreements with 24 countries (including the US, Japan and Canada regarding the latter). Chinese passport holders now can travel to more than 50 countries and territories without visas or by obtaining visas upon arrival.

## **2. LSC meetings held in 2014-2015**

Since the appointment of Home Affairs counsellor in July 2014, the frequency of the LSC meetings has increased and the group is convening approximately once a month. LSC meetings are generally well-attended. Non-EU Schengen countries: Switzerland, Iceland and Norway are regularly present, too. The calendar of LSC meetings is established at the beginning of each Presidency.

The LSC is chaired by the EU delegation, which is also in charge of drawing up reports.

Extraordinary meetings are set up when the need arises. In July 2014, an informal LSC was organised with the representative of DG HOME on visit to Beijing. In April 2015, the LSC was debriefed by the Director-General of DG HOME following the 2<sup>nd</sup> round of the Migration and Mobility Dialogue with China.

The LSC meetings were complemented by the meetings of ad-hoc working groups, namely on biometrics (VIS roll-out) and harmonised list (hotel booking).

### Southwest China

Apart from the existing local LSC in Shanghai and Guangzhou, in March 2015 local LSC held its first meeting in Southwest China. Participants (5 member states) agreed to hold meetings minimum three times a year, respectively in Chongqing and Chengdu. EU delegation is welcome and encouraged to participate one of the meetings each year.

## **3. State of play**

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

Monitoring the application of the Visa Code was a regular feature of LSC agendas. Discussion focused on the issues of proper application of the Visa Code and visa shopping. As several Member States pointed out to the fact that their visa statistics dropped during the last year, general thrust of the discussion was that visa policy should benefit economy without compromising security. Particular points of interest were the "fast-track" visa issuance procedures as well as the modalities of issuance of Multiple Entry Visas (MEV) by certain Member States.

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

On the LSC proposal, in October 2014 a revision of the list of supporting documents to be submitted by visa applicants in China was adopted. The implementation of the revised list was to be assessed 6 months later. At consulate level in China, no negative impact of the revised and simplified list has been observed.

In November 2014, in view of the recent visa facilitation measures by other countries (U.S., Japan) and underlining the fact that there is increasing competition to attract Chinese business travellers

and tourists, HOMS in Beijing agreed to the need for further shortening the harmonised list of supporting documents for business visits, tourism and visit of family and friends. In March 2015, the LSC drew up a proposal for a new revision and simplification of the list.

The Visa Committee in March 2015 saw the need for further evaluation of the October 2014 pilot project, which should be assessed again in 6 months' time. Consequently, the proposed revision of the harmonised list of supporting documents will be put on hold until the next Visa Committee meeting. In the meantime the existing harmonised list applicable in China (i.e. the pilot project of October 2014) continues to be the legally binding list of supporting documents.

### **3.3 Exchange of information**

Visa statistics: Submission of visa statistics remained an issue during the reporting period. While certain Member States provide regular monthly updates, others lag behind. As a result, the ability of the EU delegation to make reliable analyses did not improve over 2013/2014. The LSC encouraged better reporting of statistics and promoted a use of a standardised template (this is not the case now and adds to the problem). Even though more Schengen states now seem to realise the importance of providing regular and comprehensive information to the EU delegation, the local statistics for 2014 by far did not match the statistics provided at central level.

Cases of fraud: There is regular information exchange concerning cases of fraud between Schengen states in Beijing, allowing for swift action on issues such as visa annulments, illegal migration, human trafficking, ADS or other visa related issues.

Besides, since the arrival of the home affairs counsellor in July 2014, the EU delegation has been regularly participating in the Anti-Fraud Group, bringing together likeminded states in Beijing and providing additional information on the cases of fraud throughout China. The EU delegation hosted an AFG meeting in January 2015.

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

With the Visa Information System (VIS) to be rolled-out in China in October 2015, a working group on biometrics was created to ensure a homogenous general approach among the Schengen Member States, to discuss the practical and technical arrangements to be put in place, as well as to set out a list of open questions on matters of common concern. The group did not convene for a period after the roll-out had been postponed, with the re-launch planned for May 2015.

In September 2014, EU delegation introduced its new project - the Public Diplomacy website - that aims to promote the EU to the young Chinese audience (16-30 years) and focus on 4 specific areas: culture, education, jobs and tourism, including visa. The website will entirely be written in simplified Chinese and can be used from PCs, smartphones and tablets. Through the website Chinese viewers will be able to find all the information in one place and have easy access to relevant and up-to-date information provided by Member States. There will also be links to the existing websites of EU embassies, visa sections and tourist offices.

## **4. Challenges**

he roll-out of the Visa Information System in October 2015 (postponed from May 2015), the introduction of biometrics and negotiations of a visa waiver for holders of diplomatic passports – already identified in 2013/2014 reports - remain a challenge. Despite efforts on both sides, the 2<sup>nd</sup> round of the Migration and Mobility Dialogue in April 2015 did not reach agreement on the overall package of measures, notably 1) in the first phase (ideally to be implemented before VIS rollout in

China): conclusion of the EU-China Visa Waiver Agreement for diplomatic passport holders (VWA); MS ability to open Visa Application Centres (VAC) in cities - of their choice - with no consular presence; lifting of the Chinese visa restrictions on some MS; and launching informal readmission/return cooperation; 2) in the second phase (to be launched immediately thereafter): engaging and concluding EU-China visa facilitation (VFA) and readmission (RA) agreements. This EU-China summit in June 2015 may be an opportunity to lift the current deadlock.

#### Migration and Mobility, including VIS roll-out

The introduction of VIS, including biometrics is scheduled in October 2015. With the inconclusive outcome of the 2<sup>nd</sup> round of the Migration and Mobility Dialogue in April 2015, a Chinese reaction and the consequences of the actual roll-out remain unclear. In the meantime, a re-launch of the working group on biometrics will help exchange information and ensure a coherent approach in the LSC.

#### Revision of harmonised lists

The Visa Committee is likely to go back to the LSC proposal for revisions of the harmonised lists in the autumn. In the run-up, the LSC is likely to be seized with the evaluation of the ongoing pilot project of October 2014.

#### EU delegation attending local LSC

With the arrival of the Home Affairs counsellor it should be possible for the EU delegation to attend local LSC meetings on a more regular basis, notably in Shanghai, Guangzhou and Southwest China.

### **5. Other issues**

Current visa developments, and most notably the link between the VIS roll-out in October 2015 and the Chinese push for a visa waiver for holders of diplomatic passports, are increasingly seen by China as a political rather than strictly technical issue. Also in 2014/2015 visa matters continued to be among the main topics raised by Chinese leaders in bilateral interaction with the EU and Member States. As a result, this dossier needs to be followed in close contact with political sections, as well as be regularly brought to the attention of the Heads of Mission.



**UNION EUROPEENNE**

DELEGATION EN REPUBLIQUE DU CONGO

Brazzaville, le 5 mars 2015

**COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET  
LES ETATS-MEMBRES (LSC)  
EN REPUBLIQUE DU CONGO (BRAZZAVILLE)  
RAPPORT<sup>1</sup> 2014-2015**

**1. Introduction**

**1.1.** Quatre Etats membres de l'espace Schengen ont des ambassadeurs résidents à Brazzaville (Allemagne, Belgique, France et Italie). Parmi eux, seules la France et l'Italie ont compétence pour délivrer des visas Schengen (à travers trois entités : section consulaire de l'ambassade d'Italie, section consulaire de l'ambassade de France et consulat général de France à Pointe Noire).

Les accords de représentation passés par la France et l'Italie, d'une part, et d'autres pays membres de l'espace Schengen, d'autre part, n'ont pas été modifiés en 2014.

La France et l'Italie n'ont pas recours à un prestataire extérieur pour la réception des demandes de visas.

**1.2.** Deux Etats membres de l'espace Schengen, la Suisse et l'Espagne, délivrent des visas Schengen aux ressortissants du Congo-Brazzaville à partir de leurs ambassades en RDC. Le cas de la Suisse s'explique par le fait que ce pays n'a pas signé d'accord de représentation. L'Espagne garde une activité alors qu'un accord de représentation a été signé avec la France. Les personnes concernées se déplacent à Kinshasa ou déposent leurs dossiers au consulat honoraire d'Espagne.

**1.3.** Le Portugal a signé en 2014 un accord qui dispense les ressortissants du Congo-Brazzaville de visas pour entrer dans l'espace Schengen s'ils sont porteurs de passeports diplomatiques. La France a signé un accord de dispense de visa pour la même catégorie en 2007. Le Congo a fait une demande à l'Italie pour la dispense de visas sur passeports diplomatiques et de service qui est à l'étude.

**2. Réunions LSC organisées en 2014-2015**

Deux réunions ont été organisées au niveau des premiers conseillers et des responsables visas (en juin 2014 et février 2015). La France, l'Italie et la délégation de l'Union européenne ont participé. Les réunions sont organisées par la France sur demande de la délégation. Malgré l'engagement qu'elle avait pris, la France n'a pas rédigé de compte-rendu des réunions de 2012 et 2013. La délégation a pris le relais depuis.

La coopération Schengen a parfois été inscrite à l'ordre du jour des réunions mensuelles de concertation des Chefs de mission diplomatiques mais elle n'a pas été traitée faute de temps ou en raison des absences. La délégation constate une réticence de certains Etats à traiter ces questions à ce niveau.

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<sup>1</sup> Avril 2014 – Mars 2015

La coordination hors capitale n'est pas nécessaire : une seule entité délivre des visas en dehors. Il s'agit du consulat général de France à Pointe Noire. L'ambassade de France rend compte de l'activité de celui-ci. L'un des deux EM qui délivrent des visas à Kinshasa sera invité à la prochaine réunion.

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

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

Les deux EM qui délivrent des visas Schengen aux ressortissants du Congo-Brazzaville sur le territoire du Congo-Brazzaville ont une parfaite connaissance de leurs obligations en matière de coopération au titre du Code. La délivrance par un EM à Kinshasa ne semble pas requérir systématiquement la présentation personnelle des demandeurs de visas. Cet EM envisage de mettre fin à son activité visa pour les ressortissants du Congo-Brazzaville dans un avenir proche ce qui fera l'objet d'une réunion (cf supra).

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

L'harmonisation de la liste des documents justificatifs se poursuit toujours entre les EM qui délivrent des visas sur le territoire du Congo-Brazzaville. Elle ne fait pas l'objet d'une concertation avec les EM qui délivrent des visas depuis leurs ambassades à Kinshasa.

Les difficultés concernent les justificatifs d'hébergement à l'hôtel et le pré-paiement des séjours dans des établissements médicaux.

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

Un échange de statistiques sur l'activité en 2014 a eu lieu en février 2015. Chaque Etat qui délivre en représentation d'un autre Etat fournit des statistiques à ce dernier à la demande.

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.

Entre les EM à Brazzaville, l'information circule de manière informelle et régulière en ce qui concerne les documents non fiables et les cas particuliers.

### **4. Défis**

Le rapport précédent signalait le problème du nombre des bénéficiaires de passeports diplomatiques et de service. Le problème est resté le même pour les passeports diplomatiques. Il s'est aggravé pour les passeports de service. La direction générale de l'immigration a pour instruction de délivrer automatiquement un passeport de service à toute personne qui en fait la demande sur la base d'une note de présentation signée par un ministre et d'un ordre de mission. La qualité d'agent de l'Etat n'est pas requise. La mission confiée à la personne n'a parfois aucune relation avec son expérience professionnelle. La France a enregistré une hausse de 25% des demandes de visas sur passeport de service en 2014. Elle en a refusé 8%.



**UNION EUROPEA**

**Delegación en Costa Rica**

April 23, 2015

**LOCAL SCHENGEN COOPERATION (LSC) in  
San Jose, Costa Rica  
2014-2015 REPORT**

**1. Introduction**

Of the 6 Schengen Member States (MS), 3 are issuing Schengen visas in San Jose, The Netherlands Spain and Germany. Spain represents Austria, Estonia, Finland, France, Greece, Leetonia, Malta, Portugal and Sweden. The United Kingdom represents the unrepresented commonwealth countries and the European unrepresented countries but mostly Irish and Rumanians people.

The visa issuing MS are Germany, Spain, France, Italy, the Netherlands, and United Kingdom. The countries represented by another Schengen MS are: Belgium (represented by The Netherlands), Austria, Estonia, Finland, France, Greece, Letonia, Malta, Portugal and Sweden (represented by Spain),

Costa Rica is considered a developed country in Central America and compared to the region's total level of life index. Costa Ricans travel mostly in the Americas.

The number of visa applicants increased for the Netherlands and Germany. For France it is almost the same, and for Italy and Spain visa applications are increasing.

Refusal rates have increased substantially in San Jose for Spain and Germany, for the others countries they remain the same.

**2. LSC meetings held in 2014-2015**

LSC meetings have been held at more or less regular intervals at the premises of the EU Delegation HOM'S Meeting.

Four regular LSC meetings took place during the reporting period (19 February, 27 March, 5 June, 17 October 2014 and 29 of January, 05 of March 2015). The fourth meetings held during the first and second semester of 2014 were chaired by Spain, following a HOMs decision in December 2013.

**3.1 Application of the Visa Code**

Statistics collected both centrally and locally in 2013 indicated substantial differences among the MS in Costa Rica on:

- Refusal rates: ranging from 0 % to 3 %;
- Average waiting time to get a visa: ranging from 1to 20 calendar days;
- Workload: the number of visa applications handled per full time visa section staff member ranges from 127 to 581 (for visa sections that have not outsourced the visa handling to external service providers).



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

During the reporting period a LSC working group has been established in order to assess the measures needed to be taken with regard to harmonisation of the lists of supporting documents.

### **3.3 Exchange of information**

The LSC meetings have been an opportunity to exchange information on a number of topics relevant for the issuing of Schengen visas, such as the statistical survey, travel insurances.

The list of official and recognised travel documents has been a standing point on the agenda of the LSC since June 2014.

Statistical data on uniform visas, visas with limited territorial validity, airport transit visas issued as well as the number of visas refused is not collected locally on a regular basis. A LSC working group has been established in order to ensure that exchange of statistics is made in conformity with Visa Code Art 48.3a.

But about the Visa Code art.48 France does not exchange information

Italy for Art 48.1a – Harmonised list of supporting documents, says yes

The Netherlands, Art 48.1a – Harmonised list of supporting document, says yes

Spain Art 48.1a – Harmonised list of supporting documents says yes

Art 48.1b – Criteria for exemptions from paying the visa fee - says yes

## **4. Challenges**

In Costa Rica:

- 1) *The light discrepancy in refusal rates and average waiting time to get a Schengen visa*

Information for France is depending on the emergency.

Italy in 2014 accepted less visas applications in 2014 compared to the period 2010-2013

The Netherlands has more application visas in 2014 compared to the period 2010-2013

Spain received more visas applications in 2014 and accepted more and refusal less in compared to the period 2010-2013r

Germany accepted more visas applications and issued more refusals compared to the period 2010-2013.

## **5. Other issues**

Nothing to report. Except The major preoccupation is the security of MS citizen regarding different aggression modes. For a small country the number of aggressions has increased and consuls have also conducted several meetings and conferences on security.

**COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET  
LES ETATS-MEMBRES (LSC) en Côte d'Ivoire  
RAPPORT<sup>1</sup> 2014-2015**

## **1. Introduction**

Sept 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, la Suisse et les Pays-Bas. La Délégation de l'Union européenne en Côte d'Ivoire assure la coordination des réunions LSC, qu'elle organise à tour de rôle avec les Etats membres.

Par rapport à 2014, le nombre de demandes de visas vers l'espace Schengen est stable, à l'exception de la France qui a enregistré une hausse de la demande de plus de 20%. Plusieurs Etats membres (l'Espagne, l'Allemagne, et l'Italie) ont recours à l'externalisation pour l'introduction des demandes des visas. Le France devrait mettre en place un nouveau système d'externalisation début 2016.

## **2. Réunions LSC organisées en 2014-2015**

Entre avril 2014 et mars 2015, trois réunions été organisées: une en août 2014 (essentiellement consacrée à la survenue d'Ebola dans des pays voisins de la Côte d'Ivoire), une en janvier 2015, et une en avril 2015. Toutes ces réunions ont enregistré une bonne participation de tous les Etats membres.

La coordination est assurée uniquement à Abidjan.

## **3. Etat des lieux**

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

Les Etats membres représentés en Côte d'Ivoire appliquent uniformément 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.

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

De même qu'en 2014, les Etats membres estiment que l'harmonisation mise en place à Abidjan est suffisante.

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

Tous les Etats membres se sont engagés à améliorer le partage de leurs statistiques de façon trimestrielle. La Délégation de l'UE enverra un rappel au groupe Schengen tous les trois mois à cet effet.

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<sup>1</sup> Avril 2014 – Mars 2015

#### **4. Défis**

Le projet d'externalisation de la France pourrait être ouvert aux autres Etats membres qui le souhaitent. Cette décision devrait avoir un impact sur les modalités de délivrance de visas dans le groupe. L'Italie poursuit également un projet d'externalisation.

Les Etats membres demeurent confrontés à des problèmes tels que le "visa shopping" et la gestion des délais, qui varient fortement d'un consulat à l'autre et selon les périodes. Le service d'Etat civil étant déficitaire, des cas de fraude documentaire sont toujours présents. Les vérifications pour prévenir ce phénomène ralentissent de nombreux dossiers de demandes de visas.

La France fait face à une hausse des recours contentieux contre les refus de visas, certainement liée à la gratuité de l'introduction de ces recours. Cette augmentation se répercute sur le travail du consulat, qui est à chaque fois sollicité pour communiquer le dossier, les pièces, remplir une grille et rédiger une synthèse. En revanche, les pays pour lesquels l'introduction de ces recours est soumise à des frais de dossiers, tels que l'Italie et la Suisse, n'en reçoivent que très rarement. Les coûts pour l'Italie sont liés à la nature judiciaire du recours. En ce qui concerne l'Espagne, les requérants ont le choix entre un recours gracieux devant les Chargés des affaires consulaires des Ambassades, et un recours contentieux devant le Tribunal supérieur de justice de Madrid, lequel donne lieu à des frais d'avocat. La plupart optent pour le recours gracieux et adressent directement leur requête à l'Ambassade, presque systématiquement à chaque refus de visa. En général, les demandeurs s'estiment satisfaits de la réponse de l'Ambassade. Ils n'introduisent donc que rarement des recours contentieux. La France souhaiterait donc que ce point fasse l'objet d'une attention particulière tant à Abidjan qu'au sein du Groupe Schengen à Bruxelles.

#### **5. Divers**

La Belgique dispose, dans le cadre d'un projet européen, d'un enquêteur de terrain chargé de mener des investigations sur les cas probables de fraudes. Elle est satisfaite de ce projet, qui est également ouvert aux autres Etats membres

**LOCAL SCHENGEN COOPERATION (LSC)**  
**Dominican Republic**  
**2014-2015 REPORT**

## **1. Introduction**

Five Schengen Member States are represented in Santo Domingo

France

Spain

Germany,

The kingdom of the Netherlands,

Switzerland.

Italy closed his representation on 31/12/2014

Spain and recently The Kingdom of The Netherlands use external service providers for collection of application.

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

Meetings were organized on average every four months. It was not necessary to organize ad hoc meetings.

The meetings were organized and chaired by a member State, they take place at the EU Delegation.

MS share the common report with their capital.

Generally speaking, meetings are well attended by a majority of Member States.

## **3. State of play**

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

All Schengen Member States are implementing Visa Code provisions. Some MS process their visas through regional hubs but still within the delays. The VIS is now implemented by MS. One of them is facing some technical issues. The capital concerned is informed. 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 sufficiently 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 Santo Domingo are at the level of the requirements of the Visa Code.

False document remain the main problem (fake work certificates, fake financial statements etc)

#### **4. Challenges**

Since the closing of the Italian Embassy and the previous problems there are still frictions with the issuing of Schengen Visa. Italy has simply closed down his embassy and consular mission.

Santo Domingo counts with a larg Italian community as Italay counts with a large Dominican Community.

Normally a “Consulate General Honoraria” should open in short.

The Panama Embassy is in charge of the Dominican Republic but has no capacity and refuses all request from Dominican Republic.

The opening of th “Consulate General Honorario” is still pending agreement of Domincan administration, who is reluctant following the closing down of the Embassy

#### **5. Other issues**

N/A

## **LOCAL SCHENGEN COOPERATION (LSC) QUITO - ECUADOR 2014-2015 REPORT<sup>1</sup>**

### **1. Introduction**

This is the fifth report drawn up by the LSC in Ecuador.

The EU Member States represented by an Embassy in Ecuador are France, Germany, Hungary (since 2015), Italy, Spain and the United Kingdom. Each Embassy has a Consular Section or a General Consulate. The Swiss Consulate takes part in the LSC.

Spain has two General Consulates in Ecuador (Quito and Guayaquil). For matters relating to uniform Schengen visas, the Spanish General Consulate in Quito represents the Czech Republic, Greece, Luxembourg, Malta, the Netherlands and Portugal throughout Ecuador and it represents Finland and Lithuania in its consular area. The Spanish General Consulate in Guayaquil represents Finland and Lithuania in its consular area (it is also due to represent the Netherlands from 1 June 2015 onwards). The management of visa applications, including appointments, collection of documentation and prior electronic processing of applications, is carried out through VFS Global, an external service provider, under a contract put out to tender by Spain's Ministry of Foreign Affairs and Cooperation.

The consular section of the Italian Embassy in Ecuador has also outsourced the management of its visas, including appointments, collection of documentation and prior electronic processing of applications, to the same company, VFS Global.

The consular section of the German Embassy in Ecuador represents Austria, the consular section of the French Embassy in Ecuador represents Belgium, and the Swiss Consulate represents Hungary, Poland and Slovenia in Ecuador.

The EU Delegation in Ecuador is 'regionalised' and it comes under the 'regional' Delegation in Colombia for matters relating to Finance and Procurement (Cooperation) and Administration. Nevertheless, on 1 January 2014 it began representing the EU in Ecuador in an official capacity.

The EU Delegation and the Italian Consulate co-chaired the LSC meetings in the second half of 2014. As of 1 March 2015, the EU Delegation is chairing the LSC meetings alone.

### **2. LSC meetings held in 2014-2015**

Between April 2014 and March 2015, five regular LSC meetings were held (four in 2014 and one in 2015). The meetings were attended by all the European Union consulates present in Ecuador, plus Switzerland and two representatives of the EU Delegation. The Italian Embassy drafted the minutes of some of these meetings. Early in 2015, a Schengen meeting was held with the Swedish Consulate in Bogota, which is responsible for Ecuador.

Apart from the LSC meetings, consular meetings were also held, where a number of topics of common interest were on the agenda. These included the situation of prisoners from EU and Schengen countries in Ecuadorian prisons, security, natural disasters and the application of the new

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<sup>1</sup> April 2014-March 2015

comprehensive Criminal Code. Consular meetings were open to non-Schengen EU countries (e.g. the United Kingdom), honorary consuls from other European countries (Finland, Ireland, the Netherlands, Norway and Romania) and other non-European countries (e.g. the USA and Canada).

The Consular Section/General Consulate of the country officially representing the EU and the Policy Section of the EU Delegation generally co-chaired the LSC meetings that took place in Italian Embassies in the second half of 2014 and at the beginning of 2015.

The EU Delegation is now chairing the LSC meetings alone. It is solely responsible for drafting reports.

No LSC meetings were held outside Quito.

### **3. Current situation**

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

The EU Presidency draws up the agenda of the LSC meetings in line with the priorities/most important events of recent months.

The constant exchange of information and coordination between the Consuls on matters relating to the Visa Code and its application are highly satisfactory.

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

Work to harmonise the list of supporting documents has only just begun. Differences, although not great, do exist. It already seems that the harmonisation of charges will be complicated, as this is not decided directly by the consulates themselves, but by the national authorities. All countries charge EUR 60 for a visa but the value in US dollars varies according to the exchange rate set by the national authorities.

This harmonisation work could result in a common information form.

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

- Monthly statistics: in 2014, statistics were not circulated systematically, but the Member States have agreed to do so twice a year in 2015, in June and December.
- Cases of fraud:
  - It appears that, since January 2015, there has been an increase in the number of forged notarial documents issued by Ecuadorian notaries or consulates. Mainly, these were forged custody documents for minors and court rulings.
  - A number of consuls have detected alterations to travel itineraries and forged documents justifying travel to Europe. They believe that the main reason behind this is 'visa shopping', whereby the visa application is made in a more lenient consulate/consular office. Germany rejects these applications on the grounds that 'the itinerary does not exist'.
  - A new type of suspect trip involves applications made by elderly couples with limited financial resources who book expensive European tours. Several countries have stated that they reject this type of application on the grounds of a 'lack of finances'. It is suspected that unlawful activities may be involved (e.g. money laundering).
  - They have also reported that they continue to receive forged work permits and altered bank details taken from the internet, along with altered travel itineraries.

- Travel medical insurance (TMI): there are insurance companies that offer TMI, but the Consuls are still reporting specific instances of failure to activate the insurance and forged TMI documents.
  - A number of Member States stressed the difficulty of taking legal action against visa 'processors' and fake visa offices.
  - They also mentioned difficulties experienced by Pakistani citizens residing in Ecuador and wanting to travel to their home country, sometimes for four months. They apply for long-term visas for transit through Europe. Spain and Italy reject these applications and request that travellers apply for a return transit visa in Pakistan.
- Travel documents issued by Ecuador consist of four types of passport:
    1. Ecuadorian passport (normal);
    2. Diplomatic passport;
    3. Official passport;
    4. Special passport.

Holders of diplomatic and official passports do not need visas for most of the Schengen Member States represented in Ecuador. Austria (represented by Germany) does not require holders of special Ecuadorian passports to have a visa.

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

Between April 2014 and March 2015, no other initiatives were taken in the LSC. Nevertheless, for the upcoming period, work is planned in order to harmonise requirements and exchange statistics on a more regular basis. Statistics will relate to the following data: short-stay and long-stay visas issued; visas issued by a consular office/consulate representing another country; and rejected visa applications.

## **4. Challenges**

In the near future, some of the main challenges will include issues arising as a result of simplified Ecuadorian Civil Registry procedures, particularly those relating to marriages, recognition of descendants and cohabitation. The Civil Registry accepts a person's declaration that they are single/widowed and agrees to register a marriage on the basis of this declaration without requiring any additional proof. The legal form of 'cohabiting couple' has been included in the register, and is designed principally for same-sex couples. Minors without a registered father can be registered as '*hijos de conciencia*', thereby also overstepping custody rights and/or making unlawful adoption easier.

The Member States are concerned about these new measures, as they fear they will make unlawful acts such as bigamy easier and that they will have a detrimental effect on the protection of minors. They have stated that cohabiting couples and '*hijos de conciencia*' will not be recognised by the consulates/consular offices.

Furthermore, over the next reference period (2015-2016) another challenge will be to continue operating the LSC in a way that all Consuls consider exemplary, with direct contacts and a frank and permanent dialogue on Schengen issues leading to rapid solutions to problems.



## 5. Other business

On 19 February 2015, the Minister for Foreign Affairs and Human Mobility submitted a formal request for the European Commission to lift the Schengen visa requirement for Ecuadorian citizens wishing travel to the European Union. This requirement was introduced in 2003.

All the Embassies/Consulates involved in the Local Schengen Cooperation approved this report.



**EUROPEAN UNION**

**DELEGATION TO THE ARAB REPUBLIC OF EGYPT**

**EU COORDINATION**

Cairo, 21 May 2015

**LOCAL SCHENGEN COOPERATION (LSC) Arab Republic of Egypt  
2014-2015 REPORT<sup>1</sup>**

**1. Introduction**

Local Schengen Cooperation (LSC) between Schengen Member States in Egypt 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. Greece, Italy and Latvia chaired the Consular Cooperation group during the reporting period.

All EU Schengen Member States are represented in Cairo with the exception of Luxembourg, which is represented by Belgium. All Schengen Member States, including Norway and Switzerland, are part of the group. Most Schengen Member States continue 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. During the LSC meeting of May 2014 the issue of outsourcing was discussed extensively. During the July 2014 HoMs meeting one MS consequently discussed the harmonization of the visa application procedures and the establishment of a common application centre (CAC) for Schengen visas. MS note that capitals are currently taking the lead on this. Additionally, tendering procedures would need to be harmonised in order to establish a CAC, which would be challenging in the short run. However, setting up a CAC in Cairo in a more distant future cannot be ruled out.

**2. LSC meetings held in 2014-2015**

Four regular LSC meetings were held during the reporting period.<sup>2</sup> On 15 June 2014 the EU Delegation hosted experts from the International Centre for Migration Policy for an ad-hoc LSC meeting. All meetings were well attended.

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

The EU Delegation drafted the agenda for each meeting, drafted and circulated the minutes (via the agora network), and collected 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>1</sup> April 2014 – March 2015

<sup>2</sup> 21 May 2014, 17 September 2014, 20 November 2014, 18 February 2015

Coordination with Member States represented by a consulate 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 naturally liaised with the European Commission– DG HOME on a regular basis 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 representatives of Schengen Member States.

The EU Delegation sought to fulfil its local coordinating role and to provide quality support and feedback to local representatives of Schengen Member States, upon request.

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

The harmonised list of supporting documents 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. There is currently no need to amend the harmonised list.

As during the previous reporting period, the Mogamma certificate again featured on the agenda of one of the LSC meetings. According to article 1.1 of the local harmonised list, MS request a movement certificate (or so-called Mogamma certificate) for first-time applicants and for applicants that have lost their passport. This certificate allows MS to assess the migratory and security risk posed by an application by providing the travel details of the applicant for the past seven years. A clear majority of MS still request a Mogamma certificate as it seen as a useful instrument in assessing the migratory risk the applicant poses. However, some MS flagged the increasing number of factual mistakes present in Mogamma certificates as well as the long delays of up to 20 days to obtain the document.

#### 3.3 Exchange of information

- **Monthly statistics** (visa applications/issuances) were shared via e-mail. Member States agreed on a common template for the visa statistics in order to facilitate the aggregation of the annual data. Most MS are currently using the agreed template. The EU Delegation aggregated the data Member States filed on an annual basis.
- **Cases of fraud.** MS regularly flagged an increase in the quantity and quality of falsified documents including bank statements, stamps and signatures of "legalised" documents, invitation letters, and certificates. In this regard, DE organised a presentation of representatives of three leading Egyptian banks (CIB, Banque Misr and NBE) during the February 2015 LSC meeting. These representatives gave an overview of the current cooperation with the DE Embassy in detecting fake bank statements. This cooperation was greatly appreciated by both sides, as it also provides the banks with an opportunity to expose networks of fraudulent agents providing false statements to visa applicants. These networks were often also active in other fields (loans, credit cards, etc.). Applicants providing false documents were blacklisted by the banks, and in some instances this information was also

shared with the security services for further action. Banks usually require three documents to check the veracity of a bank statement: (1) bank statement, (2) national ID card and (3) written permission from the applicant to verify the account. Bank representatives expressed a willingness to cooperate with all Schengen MS embassies and shared their contact details (shared via Agora).

Additionally, DE, SK and CZ also organized a seminar on the detection of fake documents (29 March).

- **Blacklisted persons and suspicious applications.** MS 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 (ACE Insurance) to have their "business class" TMI policy included in the list of approved TMIs. ACE Insurance already featured on the EU harmonised list, but in addition ACE wanted to have their new policy approved. The policy will be marketed for the management of larger Egyptian companies, who will be offered a TMI for the senior management and their family members (provided they travel with the manager) that is valid for one year. Every subscriber will also receive a nominative insurance card, detailing the validity of the policy and the subscriber. The policy covers medical expenses up to 50.000 USD. MS agreed to include the policy in the harmonised list of TMIs.
- **Currency of visa fees.** Some MS are already charging in euros, and a few are even charging in USD, given that it has occasionally proven difficult to convert large sums of Egyptian pounds into foreign currency. DG Home confirmed that the Visa Code allows visa fees to be charged directly in euros, cf. art. 16 (7). However, the wording of the article clearly favours charging in local currency to facilitate the application process and using USD is highly discouraged. The visa code provides for the use of a third currency if that currency is "usually used in the country where the application is lodged". This is therefore arguably the case for the use of USD in Egypt.

However, MS that faced difficulties converting local currency to euros informed the group that this was much less the case and transactions are increasingly running smoothly.

### 3.4. Any other initiative taken in LSC

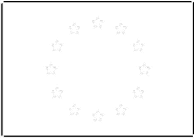
On 15 June 2014 the EU Delegation hosted experts from the International Centre for Migration Policy (ICMPD) for an ad-hoc LSC meeting. Within the framework of the Dialogue on Mediterranean Transit Migration (MTM), an informal consultative platform between migration officials in Africa, Europe, and the Middle East, ICMPD implements the project MTM Interactive Map on Migration (i-Map), a supporting instrument to the MTM Dialogue, which builds upon an online interactive platform and portal serving governments of participating states as a source and exchange instrument for factual information on migration matters, offering profiles, mappings, and visualisations on the two thematic layers of the i-Map, being 1) Mixed Migration and 2) Migration & Development.

#### 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.
  - **Providing regular updates** to LSC Cairo on the revision of the Visa Code and providing regular feedback to the European Commission on LSC Cairo's views/field experience as required. Both challenges were tackled on a continuous basis.
2. Subjects to be addressed within the next reporting period (2015-2016).
  - 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.
  - Updating the LSC Group on migration related issues and on the bilateral talks on a Mobility Partnership with Egypt in particular.

#### 5. Other issues

- **Handling of visa applications from Libyan citizens.** Most Schengen countries have suspended operations at their embassies in Libya after the intensification of the fighting in the country. In most cases, Libyans are requested to lodge their visa applications in Tunis, with some MS also accepting applications in Cairo. As to the latter Libyans are in most cases also obliged to request a visa for Egypt at the Egyptian embassy in Tunis, adding an additional layer to the application process. In this context, it was noted that most MS process applications from Libyans with a valid Egyptian residence permit in Cairo. MS in Cairo agreed that the instable situation in Libya has not led to a significant increase in visa applications from that target group.
- **Mobility Partnership with Egypt.** Egypt is interested in reviving the dialogue on a Mobility Partnership. Talks date back to the visit of Commissioner Malmström in March 2011, followed by an informal technical identification mission led by DG Home and Frontex (June 2011), but which subsequently could not take work forward due to the internal situation at that time. On 8 April 2014 a meeting took place between the Egyptian Ambassador to the EU and the then Director-General of DG HOME, Manservisi. The issue of a Mobility Partnership was also discussed with Egyptian interlocutors during the visit to Cairo in May 2015 of Commissioner Avramopoulos who clearly stated the EU side' interest in the negotiation of a Mobility Partnership. It was decided to send a technical delegation to Cairo to continue the talks on a Mobility Partnership.



**EUROPEAN UNION**

**DELEGATION TO THE STATE OF ERITREA**

23/04/2015

**LOCAL SCHENGEN COOPERATION (LSC) in ERITREA  
2014-2015 REPORT<sup>1</sup>**

**1. Introduction**

This is the fifth annual report of LSC in Asmara.

Since the previous report there have not been any major changes and Italy remains the only EU MS delivering Schengen visas in Eritrea.

In the reporting period Italy represented Italy, Belgium, France, Germany, Malta, the Netherlands, Portugal and Sweden.

Other MS had not signed a representation Agreement with Italy and were therefore not represented in Asmara regarding Schengen visas. They are covered either by the respective Embassies in Sudan, Kenya or Egypt.

**2. LSC meetings held in 2014-2015**

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. Alien's passports are not recognized by most of the EU MS.

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.

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<sup>1</sup> April 2014 – March 2015

### **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, including ad hoc meetings on security.

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

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

Libreville, le 22 mai 2015

**COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET  
LES ETATS-MEMBRES (LSC)  
LIBREVILLE - GABON  
RAPPORT<sup>1</sup> 2014-2015**

## **1. Introduction**

### **1.1. Présentation**

Il y a quatre EM présents au Gabon : DE, ES, FR, IT. Il y a aussi quatre consulats honoraires (BE, NL, PL, CH) mais ils ne délivrent pas de visa.

FR délivre quelque 14 000 visas par an et le chiffre est en hausse constante. IT en délivre 1900 et ES 600.

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

FR délivre par ailleurs des visas de court séjour Schengen en représentation pour le compte des pays suivants : Allemagne, Autriche, Belgique, Estonie Grèce, Hongrie, Lettonie, Lituanie, Luxembourg, Pays Bas, République Tchèque et Suisse. FR ne délivre pas de visas de long séjour en représentation. Pour les visas de long séjour, les demandeurs doivent s'adresser aux représentations diplomatiques et/ou consulaires de l'Etat concerné.

ES représente PT et SE.

### **1.2. Activités des consulats**

#### **1.2.1. Activité visa de la France en 2014**

La France a délivré 14.257 visas en 2014.

#### **a) Activités visa de la France en 2014 :**

- 15.559 demandes contre 14.267 en 2013, soit une augmentation de 9,4% de la demande traitée.
- 14.257 visas délivrés contre 12.923 en 2013, soit une augmentation de 10,32 % entre 2013 et 2014 (et 10.320 en 2012, soit une progression d'environ 38,1 % entre 2012 et 2014)
- 2.755 visas de circulation ont été délivrés.
- 5,90 % de taux de refus contre 7,72% en 2013.

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<sup>1</sup> Avril 2014 – mars 2015



- S'agissant des visas "Schengen" stricto sensu, la France en a délivré 12.723 en 2014 contre 11.652 en 2013, soit une progression de 9,19% (et 9.104 en 2012, soit une progression d'environ 39% entre 2012 et 2014).
- A souligner : qu'entre 2011 et 2014 il y a eu plus de 45% de visas délivrés pour plus de 32% de demandes instruites.

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

<b>Pays</b>	<b>Visas délivrés</b>
DE Allemagne	187 dont 6 sur passeport diplomatique
BE Belgique	420
AT Autriche	58
EE Estonie	-
EL Grèce	9
HU Hongrie	5
LT Lituanie	-
LU Luxembourg	13
NL Pays-Bas	163
PL Pologne	-
CZ Rép tchèque	1
CH Suisse	175
<b>Total</b>	<b>1 031</b>

1.2.2. Activités visas de l'Italie en 2014

- Demandes reçues: 2.210
- Visas délivrés: 1.883 (dont visas tourisme: 1.663)
- Pourcentage visas octroyés: 85,2%
- Pourcentage de visas non octroyés: 14,8%

1.2.3. Activités de l'Espagne

En 2014, pendant presque un mois, l'Italie a pris en charge l'expédition de visas pour l'Espagne à cause de problèmes techniques à l'ambassade.

2014<sup>1</sup>

- Demandes reçues: 739 + 84 = 823
- Visas délivrés : 634 + 54 = 688
- Dont délivrés en représentation :

Suède: 8

Portugal : 81 + 5 = 86

<sup>1</sup> 9 mois 2014 et 3 mois 2015.

- Pourcentage de visas non octroyés : 16,40%

#### **1.2.4. Activités de la Suisse**

Les visas Schengen pour la Suisse sont délivrés par le Consulat de France. Les statistiques sur les autres visas, octroyés au cours de l'année 2014 par l'ambassade de Suisse à Kinshasa via le consulat général de Suisse à Libreville, sont les suivantes :

Permis D :

Pour regroupement familial: 05

Pour rejoindre poste diplomatique : 16

Pour étudiant: 01

### **2. Réunions LSC organisées en 2014-2015**

La réunion LSC (EM et DUE) pour 2013/2014 a eu lieu le 13 mai 2014. La réunion pour 2014/2015 s'est tenue le 18 mai 2015. S'y ajoutent des réunions entre les trois pays qui délivrent des visas.

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

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

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

Il y a de nombreux échanges par courrier électronique entre les trois consulats délivrant des visas (signalement des personnes défavorablement connues, motifs de refus de visas etc...).

Le consulat de France la représentant, l'Ambassade d'Allemagne lui signale des cas particuliers de demandeurs de visa pour l'Allemagne (conjoint de ressortissant allemand, signalement de personnes, cas d'urgence...).

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

Il n'y pas de difficultés signalées : les documents peuvent différer dans la forme mais sont harmonisés quant au contenu.

#### **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 de 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). FR a établi une brochure explicative à l'intention des voyageurs.

### 3.4 D'autres initiatives prises en LSC

Rien à signaler.

### 4. Défis pour 2015-2016

La décision de principe pour procéder à l'externalisation a été prise par FR. Si la date n'a pas encore été arrêtée, l'externalisation devrait être effective au plus tard lors de l'installation du Consulat général de France dans les nouveaux locaux du pôle diplomatique et consulaire français (2016 ou 2017).

### 5. Divers

La situation des différents accords avec le Gabon est la suivante :

Type accord	FR <sup>1</sup>	IT	ES	DE	CH
Exemption de visa pour passeports diplomatiques	oui	En disc.	En disc.	oui	En disc.
Exemption de visa pour passeports de service	oui	non	non	non	En disc.
Accord de réadmission	oui	non <sup>2</sup>	non	non	En disc <sup>3</sup> .

<sup>1</sup> Dans le cadre d'un accord de gestion concertée des flux migratoires.

<sup>2</sup> Le nombre limité d'immigrés illégaux en provenance du Gabon ne justifie pas un tel accord.

<sup>3</sup> Un accord de coopération en matière de migration est en discussion avec les autorités gabonaises.



**EUROPEAN UNION**

DELEGATION TO GEORGIA

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

### **2014-2015 REPORT<sup>1</sup>**

#### **1. Introduction**

There are 13 Schengen MS present in Tbilisi (12 EU<sup>2</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

Four 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. In October 2014 European Commission concluded that Georgia successfully concluded first phase of the VLAP. In period December –March 2015 Georgia hosted number of assessment missions on the implementation of phase 2. The European Commission published a report on the implementation of phase 2 in mid-May 2015. The report included number of recommendations.

#### **2. LSC meetings held in 2014-2015**

4 LSC meetings were held in the reporting period. Usually majority of the Member States invited (15 + UK) attend each LSC meeting. 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.

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<sup>1</sup> April 2014 – March 2015

<sup>2</sup> Czech Republic, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, the Netherlands, Poland, Sweden

Additionally LSC members were involved in number of meetings with assessment missions under VLAP.

Main points for discussions included VLAP implementation, VIS roll-out, Visa statistics, Russian passports issued in Abkhazia and South Ossetia and implementation of Visa facilitation agreement.

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.

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

The harmonized list of supporting documents was adopted on 29 April 2014. MS do not see the need to amend the existing list.

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

Monthly statistics' exchange continues very well thanks to the dedication of the Estonian colleague. Some MS encounter delays in providing relevant information.

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.

### **4.1 Challenges**

The issue of high visa refusal rate in Georgia has been raised again in the LSC meetings and discussion on the reasons behind will take place in the next meeting.

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.

A proposal to harmonise practices in relation to acceptance of the proof of insurance was accepted. (Print-outs of the policies bought over Internet are not accepted)

#### **4.2. Subjects to be addressed within the next reporting period (2015-2016).**

Reasons behind differences between the visa refusals rates among MS are will be given more attention in the next reporting period.

Roll-out of VIS will be monitored by LSC.

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

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

*Drafted by EUDEL; approved by Schengen MS in Tbilisi*

**COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET  
LES ETATS-MEMBRES (LSC) EN GUINEE BISSAU  
RAPPORT<sup>1</sup> 2014-2015**

## **1. Introduction**

Les visas Schengen basés sur SIV ont été introduits en mars 2013 et les 3 trois Etats membres F, E, P se sont vite adapter au nouveau système d'information centralisée. Fin 2014 une modification majeure concernant la France est intervenue. L'ambassade de France à Bissau a fermé le 31 décembre sa section consulaire ; les visas Schengen pour la France sont désormais délivrés par l'Ambassade du Royaume d'Espagne à Bissau (court séjour) dans le cadre d'un accord de représentation signé en 2014 entre Madrid et Paris et concernant les visas A et C de la France. L'Ambassade de France à Dakar continue à délivrer les visas longs séjour.

## **2. Réunions LSC organisées en 2014-2015**

En 2014-2015 deux réunions de coordination consulaires se sont tenues. Elles ne portaient pas essentiellement sur les visas Schengen, mais sur les questions de sécurité et d'Ebola (Medevac etc..)

Depuis l'abandon de la France du rôle d'Etat – pilote en matière de sécurité, rôle qu'elle partageait avec le Portugal, la stratégie du nouveau CdD et en coordination avec le RSO est de miser sur les propres moyens pour une éventuelle évacuation d'urgence du personnel de la Délégation et de leurs familles. En plus chaque Etat membre a son propre Plan d'Evacuation dirigé à tous ses ressortissants.

## **3. Etat des lieux**

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

En 2014 le Code des visas Schengen a été appliqué par 3 Etats membres, depuis 2015 il ne le sera plus que par deux.

Depuis le 16 Février 2015, la Section Consulaire de l'Ambassade de l'Espagne à Bissau a un système de « rendez-vous » pour essayer de régler et systématiser les demandes de visa les jours établis (lundi à mercredi). Tout demandeur de visa et même d'information seulement, est soumis à cette obligation.

Depuis le 1er Janvier et le 1 de Mars de 2015 respectivement, la Section Consulaire de l'Ambassade du Portugal a des accords de représentation et de délivrance de visas Schengen et l'application du code avec la Belgique et l'Allemagne, s'ajoutant à ceux déjà existants avec l'Autriche, la Finlande, la Grèce, l'Italie, la Slovaquie, la Slovénie, la Suède et la Tchéquie.

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

Le contrôle de l'application par les EM de la Décision d'exécution de la COM est effectué à la présentation des demandes de visa. La demande n'est instruit qu'au moment que tous les documents sont fournis. En cas de doute (doute raisonnable), la Section Consulaire demande au requérant de

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<sup>1</sup> Avril 2014 – Mars 2015

visa de fournir des informations complémentaires afin de résoudre la demande positivement ou bien négativement. Il n'y a pas de besoin de réviser la liste de documents.

### 3.3 Echange d'informations

L'échange d'information s'effectue par le biais des services spécialisés des Etats – membres, notamment en charge de lutter contre l'immigration clandestine. IL se fait autour des statistiques, des assurances médicales de voyage et des cas de fraude

### 3.4 D'autres initiatives prises en LSC

La Section Consulaire de l'Ambassade de l'Espagne a aidé en quelques occasions la Section Consulaire de l'Ambassade du Portugal dont la délivrance de visas était empêchée par des problèmes techniques. .

L'harmonisation du système téléphonique de rendez-vous

La coordination complémentaire par téléphone entre les 3 et maintenant 2 services sur les cas « douteux » s'est avéré efficace

## 4. Défis

Les plus grands défis à traiter 2015-16 en Guinée Bissau sont :

La fiabilité de tous les documents officiels présentés (cas de fraude, des falsifications, etc.).

La facilité pour l'obtention de la carte de séjour en Guinée-Bissau.

La multiplicité des passeports diplomatiques et de services multipliés pendant les deux années de transition (2012-2014).

Les extensions de durée de la période de validité des passeports faits à main.

Les compétences très larges des consuls honoraires de la Guinée-Bissau dans les pays européens.

**Proposition :** Les vérifications des documents administratifs officiels (Etat civil, permis de conduire, ...) constituent un défi majeur qui mériterait une réponse intégrée commune. Cette réponse commune pourrait passer par le biais de mobilisation de l'assistance technique mis en place dans le cadre du dispositif Frontex. Cette solution ne produira pas de coûts

## 5. Divers

Statistique de visas A,C,D délivrés entre Avril 2014 et Mars 2015

	Demandes	Rejetées	accordées
France (1-12. 2014 )	916	163	753
Espagne	636	172	464
Portugal	3972	983	2989
TOTAL	5524	1318	4206





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

**RAPPORT<sup>1</sup> 2014-2015**

**1. Introduction**

A compter du 20/01/2014, la Suisse est représentée par la France en ce qui concerne la délivrance des visas SCH sur les passeports officiels uniquement. Le 04/05/2015, la société PCCI – Sénégal – a succédé à la société AFRICATEL pour la gestion externe des demandes de rendez-vous pour le dépôt des dossiers de demandes de visa.

Du 10/11/2014 au 01/02/2015, la France a représenté l'Allemagne pour la délivrance des visas Schengen.

**2. Réunions LSC organisées en 2014-2015**

27/05/2014 : réunion Schengen qui a fait l'objet d'un PV établi par la Délégation de l'UE. Cette année nous souhaiterions convier à la réunion le consul honoraire d'Italie, pays que la France représente en Guinée.

**3. Etat des lieux**

**3.1 Application du Code des Visas**

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

Néant

**3.3 Echange d'informations**

Communication des statistiques mensuelles aux partenaires Schengen.

Nous prévoyons cette année de communiquer la liste des assureurs en Guinée proposant les contrats d'assurance voyage.

Il est souhaitable d'échanger nos expériences sur les dossiers des demandeurs de visas utilisant des passeports de service. Nous observons une utilisation de plus en plus nombreuse et abusive, voire frauduleuse, de ces titres de voyage au profit de certains demandeurs qui, lors de leur entretien aux guichets, n'avaient aucune fonction officielle justifiant la détention de ces passeports. Ils représentent donc un risque très élevé de détournement de l'objet du visa.

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<sup>1</sup> Avril 2014 – Mars 2015

L'ambassade de France a pu identifier un interlocuteur de la Direction de l'état civil chargé de faire vérifier les actes d'état civil. La coopération est fructueuse et permet de faire avancer bon nombre de dossiers de demandes de visa.

#### **4. Défis**

Les problématiques jugements supplétifs tenant lieu d'acte de naissance pour lesquels il est extrêmement difficile de les contester. Les dossiers de demande de visa comportent de plus en plus de jugements supplétifs. L'utilisation de ces documents judiciaires, systématiquement produits à chaque fois que l'ambassade de France a démontré que leurs actes de naissance sont apocryphes, viserait à faire établir un lien de filiation qui n'existe pas entre deux personnes permettant ainsi de bénéficier d'un visa au titre de membres de famille française ou européenne.

#### **5. Divers**

Pour l'Ambassade d'Allemagne, il serait utile d'avoir un fichier d'alerte communautaire dans lequel tous les fraudeurs et trafiquants seraient enregistrés. Ce fichier n'existe actuellement que sur base nationale (en Allemagne, intitulé "Visawarndatei") et les données ne sont pas automatiquement distribuées aux autres Etats membres Schengen. Un fichier communautaire harmoniserait les critères d'enregistrement aux registres et faciliterait l'échange des données.

## LOCAL SCHENGEN COOPERATION (LSC) in INDIA 2014-2015 REPORT<sup>1</sup>

### 1. Introduction

Since the entry into force of the Visa Code, this was the first reporting period when all EU 22 Schengen countries were not only present, but also processed visas<sup>2</sup>. Of the three<sup>3</sup> Schengen associated countries present, only two<sup>4</sup> processed visas<sup>5</sup>. If compared to the previous reporting period, overall 25 Schengen partners (henceforth referred to as **Schengen Member States -SMS-**)<sup>6</sup> were present, though only 24 SMS were relevant for the purpose of issuing visas. The great majority of SMS accredited to New Delhi covered several countries in India's immediate neighbourhood<sup>7</sup>, processing for nationals of those countries Schengen (and/or national) visas from India<sup>8</sup>, or availing themselves of representation agreements *in loco*<sup>9</sup>.

SMS continued to have a robust presence in India, encompassing 44 Embassies/High Commissions and Consulates General<sup>10</sup>, of which 90% (40 missions) processed visas. New Delhi is the only location where all SMS processed visas in their respective (24) consular offices. The situation is more varied in the six locations where SMS have a consular presence, as some SMS did not process visas. The widest Schengen visa offices hub outside the capital city continued to be Mumbai (8 out of 10 SMS present processed visas)<sup>11</sup>, followed by Kolkata (all 3 processed visas)<sup>12</sup>, Bangalore (2 out of 3)<sup>13</sup>, Chennai (1 out of 2)<sup>14</sup>. 1 SMS (FR) continued to have a visa processing Consulate General in Pondicherry. Another SMS (PT) one in Goa, where two SMS (EL and SI) availed themselves of representations arrangements.

Throughout the reporting period SMS provided high quality visa services and adopted pragmatic practices to expedite visa processing also making full use of increased LSC and harmonisation (see *infra*). In terms of visa processing a centripetal tendency was registered side by side a centrifugal

<sup>1</sup> April 2014 - March 2015.

<sup>2</sup> Latvia started issuing visas at the beginning of this reporting period, April 2014.

<sup>3</sup> The only unrepresented Schengen partner remained Lichtenstein, which is represented by Switzerland.

<sup>4</sup> Norway and Switzerland.

<sup>5</sup> Although it has a diplomatic mission in India, Iceland is represented by Denmark all across India except Kolkata jurisdiction, where it is represented by Italy.

<sup>6</sup> Throughout this report when indicated Schengen Member States (SMS) will be listed in alphabetical order, according to the country's name in its language, using ISO abbreviations (<http://publications.europa.eu/code/en/en-370100.htm>) i.e.: BE-CZ-DK-DE-EE-EL-ES-FR-IT-LV-LT-LU-HU-MT-NL-AT-PL-PT-SI-SK-FI-SE+NO-CH, which stand for: Belgium - Czech Republic - Denmark - Germany - Estonia - Greece - Spain - France - Italy - Latvia - Lithuania - Luxemburg - Hungary - Malta - Netherlands - Austria - Poland - Portugal - Slovenia - Slovakia -Finland - Sweden + Norway - Switzerland, respectively.

Schengen visas for IS are processed by two SMS (DK and IT), while CH does so for LI.

<sup>7</sup> Bangladesh, Bhutan, Maldives, Nepal, Sri Lanka (BD-BT-MV-NP-LK respectively). Though in India's immediate neighbourhood, the situation related to Myanmar is not considered here.

<sup>8</sup> A case worth mentioning is that of IT, which processes Schengen visas for NP citizens from its Consulate General in Kolkata.

<sup>9</sup> By definition representation agreements for Schengen purposes do not include national visas. Some of the latter are of specific EU interest, like the ones related to students mobility (EU-funded *Erasmus Mundus/Erasmus Plus* programme).

<sup>10</sup> These numbers do not include the missions of prospective Schengen EU MS (Bulgaria, Croatia, Cyprus and Romania: BG-HR-CY-RO) nor those of EU non-Schengen countries (United Kingdom and Ireland: UK-IE).

<sup>11</sup> Of the 10 SMS present (BE-DE-ES-FR-IT-HU-NL-PL-SE+CH) NL and SE do not process visas. NO has an Honorary Consul.

<sup>12</sup> DE-FR-IT.

<sup>13</sup> 3 SMS are present (DE-FR+CH) but one (CH) does not process visas.

<sup>14</sup> DE processes visas, while BE does not.

one. On the one hand, some SMS concentrated their visa processing in the capital (NL) or started preparation to do so in the next reporting period (CH). On the other, some SMS de-concentrated their visa processing in locations closer to the applicants (PL and HU in Mumbai).

Taking into account the geography of the sub-continent, with a constant view to avoid disproportionate efforts by visa applicants to access their respective visa services, 70% of SMS (17<sup>1</sup>) continued to outsource visa-related ancillary/non-judgemental tasks to an external service provider (ESP) to offer applicant-friendly/differentiated services as well as fast procedures. Of these, 16 used the same ESP, 1 a different provider<sup>2</sup>. SMS "national" visa application centres (VACs) continued to offer information services (via call centres), web-based modules (appointment scheduling, online payment collection; visa application status check, etc.), as well as, in one case, biometrics data capture/transfer (though related to long-stay visas<sup>3</sup>). Most VACs operated by the same ESP continued to create, *de facto, ante litteram* Schengen "Common Application Centres", being co-located in the same building in each location (Joint VACs).

In order to allow greater proximity to visa applicants (a constant, reiterated concern shared by all SMS), throughout the reporting period, SMS increased their ESP network considerably, in terms of additional locations. This further confirmed, also for 2014, that the ESP network in India continues to rank as the second widest in the world (after Russia and before China). By the end of the reporting period, 3 SMS<sup>4</sup> had increased their territorial coverage up to a total of 16 locations<sup>5</sup>.

Throughout the reporting period, however, consistency in SMS's ESP selection procedure, on the legal instrument used<sup>6</sup> as well as its terms and conditions continued to lack. The same applied, in particular, to ESP network coverage, which showed no harmonisation entailing differentiated access for the same visa applicants to the different SMS VAC. 1 SMS (DK) had 5 VACs; 1 SMS (PT) 7 VACs; 1 SMS (SE) 8 VACs; 1 SMS (IT) 13 VACs; 1 SMS (FR) 14 VACs, while 3 SMS (MT-NL-SI) had 6 VACs; 2 SMS (BE-NO) 9 VACs<sup>7</sup>, 2 SMS 12 (ES-CH) VACs; 2 SMS (EL-AT) 15 VACs though in most cases where SMS had the same number of VACs, these were not located in the same cities. Several SMS also concluded from New Delhi specific arrangements with the selected ESP in the following neighbouring countries in South Asia: Bhutan, Nepal and Sri Lanka, where they have operating VACs in the capital cities of Thimphu, Kathmandu and Colombo in order to collect visa applications *in loco* which will then be processed in India<sup>8</sup>.

The remaining 30% (7 SMS) received visa applicants directly<sup>9</sup>. All of them have planned or are considering outsourcing in the next reporting period. In particular 2 SMS (CZ and FI) intend to do so before the introduction of biometric identifiers (full deployment of the VIS -Visa Information System- which was postponed towards the end of the reporting period<sup>10</sup>). This confirms a general

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<sup>1</sup> BE-DK-DE-EL-ES-FR-IT-LU-HU-MT-NL-AT-PT-SI-SE+NO-CH.

<sup>2</sup> NO: the situation is expected to change in the next reporting period, as due a change in contractual/tendering procedures, all SMS which has so far outsourced will avail themselves of the same ESP.

<sup>3</sup> DK.

<sup>4</sup> DE-LU-HU.

<sup>5</sup> Besides the capital city, New Delhi: Ahmedabad-Bangalore-Chandigarh-Chennai-Cochin-Goa-Gurgaon-Hyderabad-Jaipur-Jalandhar-Kolkata-Mumbai-Puducherry-Pune-Trivandrum.

<sup>6</sup> In terms of selection and legal instruments, some SMS had a world-wide or India-wide or "local" tenders while other SMS specific country-wise or location-wide contracts.

<sup>7</sup> Though through two different ESPs.

<sup>8</sup> Currently DK, DE and AT outsourced in BT; EL and IT in NP; EL and AT in LK.

<sup>9</sup> CZ-EE-LV-LT-PL-SK-FI.

<sup>10</sup> In mid-February 2015 LSC-India was informed that the VIS Roll out for Region 20 (Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, Sri-Lanka) was postponed from the originally scheduled 23 June 2015 to 2 November 2015.

trend towards a steady increase of SMS outsourcing<sup>1</sup> due to the expected growth of visa applications, VIS roll-out itself as well as further predictable SMS consular network rationalisation.

Registering an 8.8% increase in visa applications if compared to 2013, in 2014<sup>2</sup> with 568,870 Schengen (airport transit + uniform C) visas applied for, India became the seventh largest Schengen visa operation in the world (ceding the sixth place it had in 2013 to Algeria). It represented the second highest visa flow to the Schengen area (i.e. the second major outbound market for arrivals), after the Chinese one (1,800,369), if neighbouring countries [Russia (5,768,182); Ukraine (1,387,086), Belarus (881,404), Turkey (813,339) and Algeria (593,624)], given their proximity to Europe, are not taken into account.

Four SMS<sup>3</sup> continued to handle almost 65% of Schengen visa applications processed in the sub-continent. If compared to all the previous reporting periods, for the first time New Delhi became the biggest Schengen hub. Its 24 SMS diplomatic missions' visa offices processed almost half (47,9%, i.e. 272,582) of the total Schengen visas applied for<sup>4</sup>. Mumbai thus became the second Schengen visa operation: 8 SMS issuing visas (2 more if compared to 2013)<sup>5</sup> processed almost 4/10 (37,6%) of all short-stay visas (213,890) applied for. All other five locations (Bangalore, Kolkata, Chennai, Pondicherry, and Goa, indicated per descending total workload), where a total of 8 Consular missions, hailing from 4 SMS (DE-FR-IT-PT), processed almost 14,5% (82,362) Schengen visas.

Given all the elements above, in this reporting period India remained a particularly challenging LSC operation both in absolute and in relative terms, as external and internal (organisational) pressures, complex local circumstances<sup>6</sup>, the variable geography of SMS and their visa offices prompt reactions to substantial workload increase, were to be constantly factored in.

## 2. LSC meetings held in 2014-2015

All LSC meetings took place in "**Plenary**"<sup>7</sup> as well as in **sub-group (SG)**<sup>8</sup> formation in New Delhi, except one Plenary Mumbai (13 November). Invitations to the LSC Plenary were extended to the two Schengen Associated States which issue visas in the Indian sub-continent as well as the four Schengen prospective members. The LSC Plenary was Chaired by the European Union Delegation (henceforth **EUD**), while the SG meetings were steered by the relevant *Chef de File*. Membership of a specific SG was granted on voluntary-participation basis.

Each LSC meeting started with an exchange on the state of play of the harmonisation exercise, according to the various items as dealt with by the temporary working sub-groups. This was followed by an information exchange on the topics SMS considered useful for further discussion

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<sup>1</sup> Also one of the prospective SMS -HR- announced that it will avail itself of an ESP in the next reporting period (from 5 June 2015) in 6 locations: New Delhi, Mumbai, Chennai, Bangalore, Hyderabad and Kolkata.

<sup>2</sup> Schengen visas statistics, available per solar year, are published on DG Home website ([http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/docs/synthese\\_2014\\_with\\_filters\\_en.xls](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/docs/synthese_2014_with_filters_en.xls))

<sup>3</sup> DE-CH-FR-IT were by far the largest Schengen visa operations. The volume of visa applications each of them processed all across India ranged between over 110,000 to almost 80,000 respectively, via their consular posts (5-2-5-3 respectively) processing Schengen visas in different locations across the sub-continent.

<sup>4</sup> It is to be highlighted that NL Schengen were all processed in New Delhi during the reporting period, even if statistics published on DGHOME website show that they were processed in different locations. This is due to the fact that, according to the NL accounting system, visas are registered as being processed in the locations where the visa fee is paid (i.e. where the Visa Application Centre run by the External Service Provider collects the visa fee). In Bangalore, Kolkata and Chennai NL has Honorary Consuls.

<sup>5</sup> PL and HU started processing visas in April 2014 and February 2015, while NL had ceased to do so.

<sup>6</sup> India continues to be a significant source of *bona fide* visa applicants for whom several SMS facilitative procedures are in place. However, high levels of fraudulent visa applications and illegal migration attempts continued to be registered, especially in some specific regions of the sub-continent.

<sup>7</sup> Open to all SMS representatives.

<sup>8</sup> Only some SMS participates. For further details, see *infra* part 3.4.

and issues related to any other business. In order to streamline the Plenary meetings, several documents were circulated to SMS ahead, during and immediately after the LSCs.

In the reporting period, 11 Plenary meetings<sup>1</sup> took place, in parallel with several *ad hoc* meetings in SG formation. If compared to the previous reporting period, the number of Plenary meetings remained the same in Delhi (9), as one meeting was devoted to the SchEval (see *infra*), while another was dedicated to enhance the LSC exercise in Mumbai. Following the trend registered in the previous reporting period, the number of single-topic/SG meetings/interactions multiplied in the actual reporting period, reflecting SMS strong commitment to advance the harmonisation of local practices at grass-root, bottom-up level. SG interactions were first focused on best practices exchanges. Some SGs *Chef de File* organised meetings to enhance communication, boost cooperation and spur local Schengen harmonisation bottom-up. Others worked mainly by electronic exchanges with the same aims. SG meetings took place in formal and informal settings, both in fully-fledged volunteering SMS participation as well as in variable geometry interactions. Overall, it is estimated that between 45 and 50 SG meetings/interactions took place in the reporting period.

Some SGs continued the work initiated in the previous reporting period. Others were set up afresh, on *ad hoc* basis, at SMS/LSC Chair suggestion, subsequent to a first information exchange held in the Plenary. Dedicated to one specific operational issue related to the harmonised application of the EU common visa policy, each SG carried out a first assessment of the issue at stake and the foreseen result to be achieved. The work of each SG was then carried out on the basis of a roadmap for progressive implementation, drawn by its *Chef de File*, according to the priorities indicated by the Plenary and the recommendations of its Chair. After an average period of six months from its inception, the Plenary assessed the functioning of a relevant SG, setting the next priorities for action. As per an agreed standard operating procedure, once it reached its primary goal/s, a specific SG was dissolved.

An extraordinary LSC Plenary -the last meeting in the reporting period- was devoted to the Schengen Evaluation (SchEval): the mechanism set up to evaluate and monitor the application of the Schengen acquis in its different components. For the first time, besides the evaluation of an individual SMS, the SchEval comprised a "thematic evaluation" (i.e. an evaluation of specific parts of the Schengen *acquis* across several SMS) aimed at assessing whether the objectives set by the Visa Code for the LSC have been achieved. Prepared, *ex ante*, through a specific questionnaire that DGHOME circulated to the SMS via the LSC Chair, SchEval-India targeted SMS local cooperation performance in the whole sub-continent and, in particular the compliance with relevant legislation. It focused on LSC-India achievements and its working methods, looking at the relevance, effectiveness, efficiency, impact and sustainability of its activities. Its conclusions and remedial measures would serve as guidance and recommendations for SMS in general as well as for LSCs in other parts of the world. India was chosen for being one of the few locations worldwide where all SMS are present (or represented), thus one of the most complex locations (for endogenous and exogenous environment and specific circumstances) where LSC is carried out.

All SMS considered the LSC interactions and the ensuing exchanging of experiences excellent and effective in India, for several reasons. First and foremost because all missions (including Consulates General) across the country were involved in LSC-New Delhi thriving interactions. This also had an impact outside the sub-continent. As several SMS cover neighbouring countries from India, through reciprocal help and assistance they were able to check suspected Schengen visa applicants from those countries as well.

Also due to the LSC Chair's specific outreach towards peripheral locations carried out throughout the reporting period, SMS considered that the LSC-India had acquired, by the end of the reporting

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<sup>1</sup> 30 April; 4 and 18 June; 3 and 21 July; 13 (Mumbai) and 26 November; 10 December 2014 - 14 January, 11 February and 11 March 2015.

period, a 360-degree overview of the problems New Delhi, Mumbai, Kolkata, and Bangalore visa sections are daily confronted with. Several SMS confirmed 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, reiterated that the LSC was "*the most effective sectoral EU-coordination exercise carried out by the entire EUD*".

This represents a further enhancement, especially in peripheral locations, of the LSC interactions if compared to 2013-14.

SMS considered LSC Plenary meetings focused, efficient and pragmatic. They appreciated the LSC Chair's *super partes* spurring and coordinating role and its pragmatic, result-oriented approach, which contributed to foster team work in tackling SMS shared concerns. SMS appreciated that the LSC Chair granted constant monitoring of the issues at stake, proposing concrete ways to advance and suggesting practical follow-ups to reach agreements on implementable practices to LSC-India's complex technical harmonisation exercise, which bears political connotations in India. In particular, within the LSC fraternity SMS considered that the LSC Chair was a constant point of reference as well as a source of regular updates/information on initiatives on visa and mobility-related issues adopted at Brussels level.

The LSC-India also provided an example to and shared its "best practice" with other EUDs worldwide<sup>1</sup> and some non-EU missions in India. Its forefront role was also recognised in Brussels just before the beginning of the current reporting period.<sup>2</sup>

In addition of the secretarial, ancillary role<sup>3</sup>, the EUD convened the Plenary, setting its agenda; hosted and chaired its meetings; collected and disseminated data and relevant information, ahead, during and after the meetings. The EUD drafted and circulated locally summary reports ("minutes") which contained operational conclusions for further follow-up. The draft minutes, sent to the SMS often with a deadline for comments and amendments, were usually approved formally by the subsequent Plenary (if not by silence procedure when necessary). They served as record of various harmonisation resolutions adopted. In the reporting period SMS confirmed having increasingly shared such minutes -especially in the approved version- with their capitals.

Local harmonisation in locations outside New Delhi was ensured more on an *ad hoc* basis as LSC meetings were held by rotating chairs, according to practical agreements reached locally. Taking into account that in the past SMS representatives had recommended a more structured involvement of the EUD in the harmonisation exercise also outside the capital city, specific LSC interactions were organised by the EUD with SMS Heads of Visa Sections: in Kolkata (20-21 August) and Bangalore (15-16 October), besides the above mentioned fully-fledged LSC in Mumbai. These interactions allowed the LSC Chair to gather "local suggestions" for further enhancing LSC interactions and *tour de table* on issues of specific local interest. The LSC Chair immediately debriefed SMS about such outreach activities and the suggestions provided by SMS present locally during the first available New-Delhi Plenary.

SMS representatives in locations outside Delhi considered that joint EUD/SMS interactions shall take place at least once a semester. If this was possible only partially in the reporting period, in order to grant an all-encompassing coverage/information sharing throughout the sub-continent,

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<sup>1</sup> Several requested repeated guidance in devising/rationalising their LSC interactions. Some of them built upon New Delhi experience to exploit all available economies of scale. "*No need to reinvent the wheel*".

<sup>2</sup> The SMS orchestrating ability of the EUD-India was recognised by EEAS HQ, when the LSC-India Chair was tasked to peer-train over 120 EEAS Political Officers, Heads of Political Section and Deputy Heads of Delegation, from over 100 EU Delegations worldwide and share "New Delhi best practices" on intra-EU coordination (MS and local Embassies), during the 3<sup>rd</sup> EEAS Annual Seminar on Political Issues.

<sup>3</sup> These crucial activities in the daily management of the group are not to be underestimated. They range from sending invitations to the SMS to keeping an update of the contact, distribution and attendance lists to organising the logistics of the meetings, supervising the electronic information exchange, etc.

during the reporting period the EUD succeeded in extending the Plenary's thriving electronic exchange and communications to all SMS Consular posts. Such simple and practical measure proved extremely useful and was highly appreciated by all SMS.

In addition, as per internal EUD rules, communications were further streamlined in terms of record and archiving (Ares-communication flow).

Though the Plenary provided SMS the venue to exchange information also on non-visa related issues, the LSC Chair constantly focused SMS Consuls' attention only on LSC harmonisation, reserving to other intra-EU coordination platforms, be it in the Local Consular Cooperation (LCC) or in the Local Migration Group (LMG) formation, issues pertaining to consular affairs as per Vienna Convention art. 5 except short stay visa (LSC remit). In particular, the LMG, i.e. the intra-EU coordination working group dedicated to migration-related issues as well as long stay visas/residence permits continued to be the platform to channel relevant updates to EU Member States on the diplomatic offensive the EU Delegation has carried out ever since the Draft proposal for a Joint Declaration on a Common Agenda on Migration and Mobility between India and the European Union and its Member States was presented to the Indian authorities in April 2013.

In the second half of the reporting period, the LSC Chair also started a gradual transfer of responsibilities to a Commission "mixed post" three-hatted (DGSANCO-DGMOVE-DGHOME) Policy Officer.

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

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

Throughout the reporting period the LSC-India has become -also at its SG level- a systematic, rationalized and self-sustainable system, spurred by committed SMS representatives, who participated pro-actively in LSC interactions, making the harmonisation *in loco* a comprehensive, tangible, "collective task" carried out in full collegiality. SMS' and EUD's commitment towards the LSC exercise made the LSC-India further advanced qualitatively, not only quantitatively. SMS and the EUD focused exclusively on granting uniformity in the concrete application of the Visa Code locally and on streamlining local practices. By the end of the reporting period SMS considered that all mandatory prescriptions contained in the Visa Code, on which harmonisation could be achieved, were fully complied with, thanks to the exceptional LSC-India team work registered in the reporting period which was possible only through the commitment of SMS representatives, particularly those having the SG *Chef de File* role, enticed by the result-oriented role of the EUD as catalyst of the process in its capacity of LSC Chair. The SGs system provided a beneficial multiplier factor which allowed the LSC to achieve the outcomes detailed in the following section. All SMS became strong advocates for further local harmonisation of practices and approaches. Once the latter were endorsed by the Plenary, SMS all aligned to them completely. However, also in this reporting period, SMS confirmed that 1) there is no operational way to harmonise the visa fee expressed in local currency (SMS follow different systems and frequencies to set their exchange rate, in most cases imposed by their capitals); 2) 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.

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

This was carried out in the previous reporting period. The LSC-India provided to the Visa Committed the requested additional feedback. The harmonised list shall be adopted -as a Commission decision- in the next reporting period.



### 3.3 Exchange of information

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

The information exchange effectiveness increased during the reporting period as communications were far reaching and well-timed, thanks to two LSC distribution lists: one, restricted, dedicated to Plenary interactions. The other, more comprehensive, devoted to "visa alerts" exchanges (see *infra* "case of fraud "). The LSC Chair constantly encouraged intra-LSC information exchange, monitoring the constant flux of data also through periodic updates of SMS contact and distribution lists. The exchange was so fluid that SMS also used the LSC platform to request each other's assistance (i.e. in case of need of specific visa printer cartridges, not easily available on the market) or to alert each other (like in the case of bomb threatening letters to several Embassies related to visa rejection). Relevant information from Brussels HQ (DGHOME), including press releases from the European Commission, articles on visa-related issues, statistics, etc. were regularly shared with SMS (e.g. Commission reports on the state of the Schengen area; report from the Commission to the European Parliament and the Council about the fifth bi-annual report on the functioning of the Schengen area from 1<sup>st</sup> November 2013 to 30<sup>th</sup> April 2014, etc.).

#### ➤ *Statistics*

The exchange of monthly visa statistics was overall regular for those SMS who could send theirs. As a follow up to the previous reporting period, the LSC Chair prepared a synoptic table of annual global statistics (2011-2013) related to India: SMS-wise as well as consular location-wise. This led to further exchanges on statistics, which confirmed substantial discrepancies between SMS central authorities' data (monthly and annual ones) and the ones published in DGHOME website.

In addition, taking into account that global data provide useful general information but are of limited use locally, as they do not identify local trends, nor predict future ones, the LSC Chair promoted an exchange of monthly visa statistics on the basis of homogeneous table detailed according to broad categories of purposes both for Schengen (business, tourism, official/mission, etc.) and upon SMS' suggestion -for comparison purposes- for national visas (work, study, family reunification, etc.) though of LMG group remit. If there was broad consensus on the idea and the two tables were endorsed by the Plenary and circulated to its members, only few SMS were able to actually start implementing such harmonisation as of 01.01.2015. By the end of the reporting period, most SMS reported that they were unable to decline the "category" of visas "per purpose" as data were not easily accessible via their IT visa systems (manual counting would have been necessary). Others highlighted that they depended on their capitals to get consolidated statistics. In addition, SMS could not provide separate statistics for non-Indian citizens. For all these reasons, the Plenary took note that SMS could not harmonise this aspect of their cooperation and decided to wait for the VIS roll-out, when this aspect of local cooperation would be *de facto* harmonised.

#### ➤ *cases of fraud*

Most SMS consider intra-SMS intense information exchange perhaps the most immediate daily added value of the whole LSC exercise. Besides that occurring during the Plenaries, the timely electronic visa fraud alerts/enquiries exchange, facilitated by a harmonised template, brought about a remarkable improvement of SMS everyday working methods compared to the previous reporting period, as SMS were able to increase information sharing on specific fraud cases. Several SMS considered it helped them not only to better assess visa applications, but it tangibly reinforced their

ability to fight against potential illegal migration<sup>1</sup>, taking into account the high incidence of false, falsified and forged documents. SMS Document and Visa Adviser/Airport Liaison Officers/Police-immigration officers were extremely active in this field and provided their expertise to all SMS in need. They also started preparing specific "Passport fraud alert" communications. Throughout the reporting period over 150 visa alerts were shared on the basis of a common template for immediate visa alerts or visa enquiries, including on suspect human traffickers and passport frauds.

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

As a follow up to the activity carried out in 2013-14, the SG continued to update the positive list of local insurance companies which offered adequate TMI. It assessed the progress made and discussed further steps to enhance compliance and improve travel insurances' products, while discussing harmonisation on Visa Code Article 15(4). Further visa officers training on the TMI were also organised in locations outside Delhi. Due to the departure of the SG *Chef de File*, the Plenary endorsed a practical interim solution, deputising another SMS to provide regular follow up on the *bona fide* list and share it with all SMS and ESPs. It is expected that the activities of this SG would be wound up formally in the next reporting period, while periodic update would be granted by a volunteering SMS.

➤ *Other issues*

During this reporting period the pan-India-LSC information exchange further advanced qualitatively, not only quantitatively. Besides being extended to all SMS consular offices across the sub-continent, it became more streamlined according to an electronic exchange "etiquette" regularly recalled by the LSC Chair and facilitated by the use of constantly updated distribution lists. In addition to topics of SMS immediate interest, particularly related to queries on travel agencies and other as listed below, a system of synoptic tables (*tours de tables*) was further implemented. This allowed SMS to streamline their communications whenever a SMS suggested a specific point for discussion to the Plenary. For some of the topics discussed SMS proposed that a specific SG was set up to assess common concerns. This led to specific initiatives, as below (see *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**) return control cases (way of information and post no-show enforcement); **II**) VIS roll-out state of play, instrumental in putting forward its postponement; **III**); procedure followed, documentation requested, visa duration for non-EU nationals applicants who are family members of EU/Schengen area citizens; **IV**) visa stamping and signing; **V**) practice of eliminating travel agencies for return of passports, using a courier system, to ensure safe and secure return of travel documents to applicants (curbing irregular practices used by some travel agents); **VI**) individual SMS "national" instructions on: *a*) enabling visa applications regardless of consular jurisdictions, *b*) hotel reservation waiver; *c*) reducing visa processing time; **VII**) Fake/counterfeit/forged passport return; **VIII**) ESPs and respective network coverage; **IX**) reported issues on Schengen entry and exit stamps; **X**) Visa code art. 22.3 on prior consultation of other SMS' central authorities; **XI**) practices on Indian applicants where the passport does not indicate the applicant's surname; **XII**) visa officers exchanges; **XIII**) update on the Visa Code Handbook Annex 10; **XIV**) encryption practices; **XV**) practices on visa applications and applicants from Bangladesh; **XVI**) SMS practices on visa fee for Indian diplomatic passport holder when travelling for personal/tourism purpose vs Indian approach; **XVII**) visa fee for children: SMS practice vs Indian approach; **XVIII**) SIS procedures, including the proposal to re-input expired SIS alerts for suspected traffickers; **XIX**) client handling skills training; **XX**) gradual harmonisation of the service

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<sup>1</sup> Often visa applicants refused by one SMS lodge their application to another SMS or to a prospective SMS.

fee; **XXI**) temporary sub-contracted visa officers; **XXII**) visa application form translation in local languages other than hindi (in locations outside Delhi); **XXIII**) Schengen visa stamp covered by non-Schengen visa stickers; **XXIV**) harmonised approach on manual amendments on IN passports.

The intra-LSC information exchange also provided SMS the possibility to share information pan-India on the host country's visas regime and practices, particularly regarding the following: **XXV**) exhaustive list of Indian travel documents, including a debriefing on a 2014 LSC Chair's outreach to the relevant Indian Authorities; **XXVI**) introduction of biometrics by Indian missions located in SMS; **XXVII**) local Foreign Ministry communication on visas for diplomatic missions staff and their dependants; **XXVIII**) local "visas on arrival" vs "collective landing permits" vs "electronic travel authorisation" vs "e-tourist visas"; **XXIX**) various communications by the local Foreign Ministry on stamp signatures, etc.

Given its higher frequency the LSC was also a useful, regular, platform where SMS could share migration-related concerns<sup>1</sup> in particular regarding tertiary education student mobility, especially that of EU-funded *Erasmus Mundus/Erasmus Plus* selected students and doctoral candidates applying from neighbouring countries<sup>2</sup> providing possible practical alternatives. Activities related to secondary education exchanges were also shared.

Last, but not least, the Chair granted that the Plenary information exchange would be granted constant (immediate, as necessary) follow up and update via several *tour de table* for monitoring and verification by SMS.

### 3.4 Any other initiative taken in LSC

This is perhaps the most relevant feature of the LSC operation in India, given that it goes beyond what is strictly foreseen in the visa code, in order to meet the request of its SMS, according to their most pressing concerns. There were, in fact, several "other initiatives" taken in and carried out by the LSC-India in 2014-15. They mainly ensued from the SG system, which -as mentioned earlier- on its turn resulted from SMS shared need to further proceed with local practices harmonisation, subsequent to preliminary information exchanges carried out in the Plenary, on the basis of SMS priority issues.

It is to be highlighted that the SGs had become, by the end of the reporting period, fully self-sustainable in its activities, besides being result (not process) oriented, effective and efficient, with positive impacts on streamlining SMS working procedures. In parallel with ongoing<sup>3</sup> (and dormant<sup>4</sup>) SGs, during the reporting period additional SGs completed several tasks and achieved concrete harmonisation results, as listed in the paragraphs below, on the basis of different working methods set by the relevant *Chef de File* according to his/her management style.

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<sup>1</sup> National visas issues would normally fall under the remit of the parallel Local Migration Group (LMG), which in this reporting period was convened less frequently than the LSC.

<sup>2</sup> At a request from the EUD-Dhaka SMS were alerted on the practical difficulties Bangladeshi students faced in applying for Indian visas in order to come to India and here apply for SMS national student visas.

<sup>3</sup> **Travel Medical Insurance** (TMI - see above, section 3.3); **Common Information Sheet** (which provided updates as necessary also to the ESPs); **Cahiers 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 - a preliminary draft of the issues at stake was produced and first contacts with the European operators were taken. However, turnover within the volunteering SMS did not allow further developments. In addition Mumbai CGs would be requested to provide their contribution, taking into account that they operate in the economic-commercial-financial capital of India, etc.).

<sup>4</sup> **Commercial intermediaries**, including travel agencies and travel facilitators (the first assessment was completed in 2012-2013) which was not considered a top priority by the SMS in this reporting period ; **CIRCABC** (not formally convened); **ESP**, on which the EUD gathered information directly from interested SMS, etc.

➤ ***Tibetans visa applications***

Several meetings of its members<sup>1</sup> and two fact-finding missions to Dharamshala allowed this SG to better understand the possible documents which would be needed to support a visa application by a Tibetan. They also allowed the SG to develop a strong collaboration with the Bureau of the Dalai Lama in New Delhi as well as the Government in Exile in Dharamshala (Central Tibetan Administration - CTA). By July 2014, the SG proposed to the Plenary specific **(1) Guidelines for the reception of visa applications from Tibetans in India**, with a view of mobility or migration into the Schengen area, in the form of a report, which contained SG's members observations, conclusions and recommendations, which were endorsed by the Plenary. Given the specific category of applicants<sup>2</sup>, this result has an unprecedented significance not only at technical level<sup>3</sup>.

➤ ***Fast Track/Bona Fide/Multiple Entry Visas***

The SG focused on best practices sharing related to facilitations/priority treatments SMS offer to specific categories of "fast track/VIP/*bona fide*" applicants (especially business, tourist travellers, etc.). Spearheaded with a questionnaire, followed up by several SG meetings, the first assessment among SMS highlighted the wide differences existing among participating SMS<sup>4</sup>. It subsequently compared the existing practices through a **(2) synoptic assessment of all facilitations offered**. The table would now need to be further extended to other SMS practices, in view of a potential Plenary assessment and decision, if any, of a harmonised way forward. The SG also focused on the varying local practices of SMS issuance of multiple entry visas (MEVs).

➤ ***Non-official (supporting) documents checking***

At the beginning of the reporting period a specific SG was set up to streamline SMS practices used while checking "non-official (supporting) documents" presented by visa applicants, i.e. those not issued by an official authority, like, *inter alia*, bank statements, hotel reservations, etc. As a first step, the SG participating members<sup>5</sup> shared information and compared their visa offices' practises. Subsequently the SG enlarged to all the Plenary SMS the finding. By the end of 2014, the SG had produced the following results: **(3) a guideline** to proceed faster with the checking of non-official documents<sup>6</sup> which included an **extensive list of internet addresses**. Furthermore **(4) a set of specific hands-on, interactive training sessions** were carried out to ease the checking (especially plane ticket, hotels, certification of establishment, TIN/PAN numbers, import-export companies, income tax, insurances, etc.)<sup>7</sup>. This harmonisation decreased substantially the time SMS visa

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<sup>1</sup> DE-FR-NL-AT+CH, led by BE as *Chef de File*.

<sup>2</sup> Estimated to amount to 100,000 individuals, this is one of the two categories of people (together with Sri Lankan Tamils, which amount roughly to 65,000 individuals) to which the Government of India provides assistance and specific international protection.

<sup>3</sup> Given the expertise acquired, the LSC SG had an outreach activity with the Swiss Federal Office for Migration.

<sup>4</sup> ES-FR-IT-HU-SI-SE+CH and NO, led by NL as *Chef de File*.

<sup>5</sup> DE-LU-HU-MT-SE+NO, led by FR as *Chef de File*.

<sup>6</sup> From authority letter from agent/representative to company letter; articles of incorporation of Indian companies; income tax declaration; salary slips; financial statements; bank statements; diplomas/resume of applicants; transport (plane) booking; hotel booking; correspondent address (personal/professional invitations) as well as insurance policies, on the basis of the findings of the relevant TMI SG (comprehensive approach).

<sup>7</sup> Overall more than 80 SMS visa officers (including those from Schengen "candidate countries") benefitted from such trainings, which received enthusiastic SMS appreciation. For example, SK -as the presiding country of the Visegrad Group- organized at the end of the reporting period (March 2015) in the format V4 + a specific session where BE-CZ-FR-IT-HU-PL-SK+HR (total 26) visa officers participated.

officers needed to perform these checking tasks, freeing energies and time to which could then be concentrated on more fraudulent cases.

➤ ***Recollection of LSC Plenary decisions (Compendium)***

Having highlighted the usefulness of drawing a record of all LSC Plenary decisions taken since 2012 the Plenary tasked the EUD and SMS to work jointly to that aim. Several drafts of a **(5) compendium** were shared. *SG Chef de file* were requested to provide their inputs, when necessary. The EUD reported regularly to the Plenary on the state of play of the compendium, which is a living document that needs to be regularly updated. It is meant to serve as a point of reference for SMS missions on the LSC exercise as it would contain all LSC-India harmonisation *acquis*.

➤ ***Visa officers trainings***

In the previous reporting period, SMS had requested the EUD to encourage biannual training for SMS visa officers, on a regular basis. In the reporting period several **(6) visa officers training** took place. Besides those organised on non-official (supporting) document checking, mentioned above, several were carried out by SMS document advisors/immigration officers and focused mainly on detecting forged passports and other fake documents. Overall more than 50 visa officers participated. These trainings were instrumental to further SMS visa officers' team spirit. Besides working closely together in document checking, at times SMS visa officers conducted applicants' interviews together. They also availed themselves of the assistance provided by SMS document experts while processing visa applications.

➤ ***Outreach activities and exchanges***

During the reporting period the LSC Plenary welcomed **(7) interactions** with UK Home Office, Visas and Immigration, Regional Director (Central Asia, South Asia and Turkey) on Schengen multiple entry visas and parallel UK visa applications, as well as those with ESP representatives on VIS roll-out state of preparation, as well as on the implementation of passport return instruction in view of a potential harmonisation (not achieved). In addition, several SMS representatives provided their expertise, on a volunteer basis, during specific **(8) information sessions** on visas organised by the EUD in the framework of the European Higher Education Fair sessions in Delhi, Bangalore and Kolkata. Furthermore, EUD representatives **(9)** carried out **outreach activities to the two ESPs** and to **SMS visa sections** (FR-DE-IT-SE-PL-NL-CH) in New Delhi. Moreover, SMS **(10)** welcomed DGHOME policy officer **hands on training** in their visa sections in Delhi and Mumbai. Several SMS also granted their **(11) participation** in the "**Delhi Anti-Fraud Working Group**" where experiences and recent trends on fraud cases were exchanged with like-minded countries.

In parallel, several **(12) routine updates**, were carried out by the Chair, particularly: statistical tables country-wise and consular location-wise; a synoptic table of EU MS/SMS accreditations (visa coverage/representation) to India's neighbouring countries containing information beyond Visa Code Handbook Annex 28; aggregated survey of diplomatic and service passport holders visa waivers in force and under negotiation containing information beyond Visa Code Handbook Annex 5; Common Information Sheet; LSC survey; all-India contact and distribution lists, etc.

➤ ***Exchange on Nordic list of accredited travel agents***

Although developed besides the LSC framework, the pilot exercise carried out by the Nordic SMS<sup>1</sup> on a system of travel agents accreditation, proved extremely useful to assess the potential for further LSC harmonisation on this issue. The Nordic countries set up, besides the list of accredited travel

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<sup>1</sup> DK-FI-SE-NO.

agents, a *de facto* sanction system. After six month from the beginning of its implementation, the Nordic countries concluded that this exercise was far too time and energy consuming, also taking into account that it did not entail a substantial increase of visas applications.

#### 4. Challenges in 2014-15

1. All challenges listed in the 2013-14 report were addressed in 2014-2015 and showed sensible developments, which led to concrete harmonisation, as detailed above.

2. The main systemic challenges for the LSC-India in the period 2015-2016 will be: a) the smooth implementation of VIS roll-out (biometric data collection) technical implementation and in terms of communication (outreach activities, in particular to the press<sup>1</sup>) to counter potential misperceptions and reactions; b) a predictable further increase in the number of visa applications per SMS.

In addition to the subjects to be dealt with as per specific Visa Committee instructions/decisions, the **main priorities** on which the **LSC-India interactions** shall focus in the upcoming period are:

(1) **finalisation of the harmonisation exercise on ongoing activities** currently examined by the various SGs, winding up those SG which carried out their tasks, but also reviving the dormant ones. In particular SMS will need to concentrate on finalising the (a) recollection of most common hindrances encountered by SMS applicants (especially economic operators, tourists, students, professors, journalists, etc.) when applying for visas at the relevant Indian missions (*cahier de doléances*); (b) harmonisation of facilitation practices related to first track/bona fide applicants, especially for business and tourism purposes, aiming at SMS converge especially in terms of MEVs issuances practices.

In parallel, (2) specific action will aim to **achieve** the following concrete deliverables: converge on a (c) standard operating procedure (SOP) on suspect people smugglers (even if this subject follows more in the LMG remit), also with the local authorities, streamlining communication and fostering further intra-LSC cooperation pan-India in addressing cases of illegal migration - potential human smuggling / trafficking. It is to be foreseen that a specific SG might be set up to take this challenge forward. SMS document advisors/immigration officers shall be fully associated in this endeavour. (d) Further promotion, on a reciprocal basis, of legitimate short-stay travellers (in particular for business and tourism purposes) especially in the framework of the High Level Dialogue on Migration and Mobility. In this direction, the potential creation of a "Schengen Tourism Council" between SMS tourism boards and the LSC could be explored. (e) Re-assess the need to agree on harmonised criteria for examining applications in relation to visa fee exemptions.

(3) On a more **structural level**, other **initiatives** shall be **carried out / pro-actively encouraged** (or simply explored), including:

i. further consolidate EUD coordination of SMS consular offices in locations outside the capital;

ii. specific outreach activities to representatives of like-minded non-EU/Schengen countries as well as local authorities, taking into account that the LSC-India has become, by now, a point of reference of best practices locally and globally;

iii. promote exchange of visa officers among SMS on a bilateral basis, to boost best practices sharing and cooperation;

iv. organise and carry out specific local hands-on trainings, especially on documents. SMS document advisors/immigration officers shall be fully associated in these exercises;

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<sup>1</sup> The possibility of organising a journalist outreach seminar similar to that organised by DGHOME in Brussels during the reporting period (16-17 June 2014) on "The common visa policy" could be explored.

v. compare note 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.

vi. As for information exchange, further attention shall be devoted to *a) commercial intermediaries*, including travel agents and travel facilitators<sup>1</sup>; *b) transport companies*; *c) SMS visa offices organisational set ups*; *d) Schengen Practical Handbook for Border Guards* knowledge, particularly Annex 23 (Specimen of residence permits issued by Member States); *e) the possible translation*, with the collaboration of local universities, of the visa application form in the other official language(s) of India (other than hindi), especially to be used in locations outside the capital; as well as all *f) local practices on specific issues* put forward by SMS.

Carrying out the diversified tasks mentioned above, meeting SMS expectations proactively and in all their political implication, will mainly depend, also in 2015-16 on the availability of human resources within the EUD<sup>2</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 further underscored that in the reporting period, another EU MS working group, the Local Migration Group (LMG) chaired by the EUD also took place regularly<sup>3</sup>. During LMG meetings, EU MS addressed long-stay visas issues, granting a continuous follow-up to EU-India High Level Dialogue on Migration and Mobility (HLDMM), in its "migration" chapter, whereas the LSC contributed to its "mobility"<sup>4</sup>. The sheer existence of the LMG as a parallel intra-EU coordination platform proved particularly beneficial for LSC interactions, as EU MS remained concentrated exclusively on local Schengen harmonisation, whilst they channelled and exchanged information on migration trends, patterns and challenges (also foreseen in the Visa Code) in another venue. Within the LMG, in 2014-15 the EUD continued to inform EU MS on EU-funded projects carried out in India, under the development cooperation '*thematic programme in the area of Migration and Asylum*', particularly the one titled "Developing Evidence-based Management and Operations in India-EU Migration and Partnership (DEMO Ind-EU MaP)"<sup>5</sup>. In the latter's framework, several EU MS participated, in December 2014, in the National Workshop "*International Migration and Trade: Linkages and Implications for India-EU Migration*", organised by the India Centre for Migration (ICM), under the auspices of the EUD.

In addition, EU MS were also briefed on the first-ever coordination meeting with International organisations active in the migration field<sup>6</sup> organised by the EUD.

Last, but not least, the EUD continued to relentlessly monitor the follow up of the proposed draft Joint Declaration on an EU-India "Common Agenda on Migration and Mobility" (the first of its kind proposed to an EU strategic partner).

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<sup>1</sup> In India "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.

<sup>2</sup> During half of the reporting period the EEAS staff in charge of EU-India Migration and Mobility *dossier*, including both technical and political facets as well as daily implementation of the LSC has been flanked by a Commission policy officer who is only part-time (33%) in charge of DGHOMER-related *dossiers*. With increasing expectations and a more substantive roadmap for LSC implementation, a lack of sustained engagement of human resources in the future could tantamount to an additional systemic challenge for the LSC-India in the next reporting period.

<sup>3</sup> On average every 3-4 months.

<sup>4</sup> In particular the LSC provided information on the widespread use of false, counterfeit or forged supporting documents and stressed the need to further focus on reciprocal treatments in all bilateral interactions.

<sup>5</sup> This is a *de facto* continuation of the EU-funded project "Developing a Knowledgebase for Policy Making on India-EU Migration", referred to in the previous LSC Annual Report.

<sup>6</sup> International Labour Organisation, UN Women, International Organisation for Migration, United Nations Office on Drugs and Crime, World Health Organisation, United Nations High Commissioner for Refugees.

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*This report was prepared by the EUD in New Delhi and approved by the LSC New Delhi Plenary on 01 July 2015.*



15/06/2015

## **LOCAL SCHENGEN COOPERATION (LSC) IN INDONESIA 2014-2015 REPORT<sup>1</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 2014-2015**

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 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.

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<sup>1</sup> April 2014 – March 2015

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.

#### **4. Challenges**

As mentioned in last year's report, reduced 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.

In early 2015, Indonesia announced a policy of granting Visa Waiver towards 30 new countries including 15 Schengen countries in the expectation that countries under the programme will establish reciprocal arrangements. It remains unclear why not all Schengen countries were included in the scheme. Taking into consideration the reciprocity requirement which cannot be granted from Schengen side, this may require an amendment to Immigration Law (6/2011) or at least some extra legislation to be adopted by Indonesia.



## *Ambasciata d' Italia in Teheran*

20 May 2015

### **LOCAL SCHENGEN COOPERATION (LSC) in TEHRAN 2014-2015 REPORT<sup>1</sup>**

#### **1. Introduction**

Eighteen Schengen Member States are represented in the Islamic Republic of Iran with their own Embassies: Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Netherlands, Norway, Poland, Portugal, Slovakia, Spain, Sweden and Switzerland.

On the base of representations arrangements, Schengen visa for Slovenia and Malta are issued by Austria, Hungary represents Latvia and Lithuania, Finland represents Estonia and Denmark represents Iceland.

At the moment, no Schengen embassy is using external services providers for the collection of applications. No Schengen consulates are present in other locations outside the capital.

#### **2. LSC meetings held in 2014-2015**

In Tehran there is no EU Delegation, therefore LSC meetings (as well as other EU coordination meetings) are organised and chaired by the MS holding the rotating presidency of the Council of the European Union. During reporting period meetings were chaired by the Embassy of Greece (until 30 June 2014) and by the Embassy of Italy (from 1st July 2014 to present). The Embassy of the Netherlands will take over on 1<sup>st</sup> July 2015.

During reporting period, meetings have been held regularly once a month, with the exception of August 2014 (due to ordinary recess period) and March 2015 (due to the main holiday period for the Persian New Year). Ad-hoc meetings have been called upon request of certain Member States to discuss specific questions (i.e. the possibility to set up a common Schengen Application Centre).

Meetings are usually well attended. A report is drawn up by the chair.

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

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

Visa code is correctly applied. Schengen Embassies are well prepared to ensure the tasks to be carried out in LSC under the Visa Code. A regular exchange of information takes place on the occasion of the meetings and by email through the LSC mailing list.

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<sup>1</sup> April 2014 – March 2015

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

A draft list of supporting documents has been discussed and finalized by the LSC on January 2015. It has been submitted to the Visa Committee on 26 March 2015. LSC is now preparing a reply to the comments received.

### **3.3 Exchange of information**

Information on visa statistics are regularly exchanged by MS before each meeting and a table summarising figures on applications, visa issued and denial rates is circulated by the chair ahead of the meetings. Figures and trends are discussed during the LSC meetings, as well as cases of fraud, lists of companies providing TMI corresponding to the requirements of the Visa Code and lists of travel agencies accredited (art. 45 of the Visa Code) or otherwise known by the MS.

Individual cases of fraud, as well as requests for information on individual cases are also exchanged through the LSC mailing list.

Other issues are discussed upon initiative of the chair or request of one or more delegations.

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

Two workshops on document forgery have been organised during reporting period by the Austrian and Dutch Embassies (respectively for officers and for local staff) thanking to the expertise of the two Airline Liaison Officers of the German Bundespolizei at the German Embassy on a project partially funded by the EBF.

## **4. Challenges**

The resumption of the negotiations between Iran and the EU3+3 has already resulted in an increased interest for Iran in many European countries, comprising a resumption of business contacts. According to official statistics, that last year we assisted in Iran to a 17,3% increase of Schengen visa applications, contrasting with the 2,8% reduction of visa applications recorded worldwide.

This trend is likely to further increase in the event of a positive outcome of the negotiations due to the large population of the country and the historical economic and cultural links with Europe.

Schengen Embassies should therefore envisage investing on the administrative capacity of their visa services in order to comply with the requirements of the Visa Code.



**LOCAL SCHENGEN COOPERATION (LSC)  
IN THE REPUBLIC OF IRAQ  
REPORT (April 2014- March 2015)**

**1. Introduction**

Iraq presents a very peculiar and challenging environment as per visa issuing. There are recurring attempts of submission of fake and manipulated documents. Travel agencies pretend to be facilitators in exchange for illicit fees. Communications via courier between liaison offices in Erbil and the visa offices in Baghdad (for those Countries not having a visa issuing office in the Kurdistan Region of Iraq) are not easy to ensure. Schengen Countries with visa offices in Baghdad Green Zone have to deal with strict local security arrangements in order to conduct interviews. Moreover, in 2014 the notorious drastic worsening of the security situation in Iraq has induced some Countries to temporarily suspend visa issuing activities.

**Ten Schengen Member States** (Czech Republic, France, Germany, Greece, Hungary, Italy, Netherlands, Spain, Slovak Republic and Sweden) have consulates and/or visa offices in Iraq: all in Baghdad except Hungary, and four in Erbil (Czech Republic, France, Germany and Hungary).

Poland, though not present with an Embassy in Baghdad, has a Consular Agency in Erbil.

Italy has a visa liaison office in Erbil.

The Netherlands have opened a Consulate General in Erbil in the second quarter of 2015. Up to then they had a liaison office.

There are several **non-represented Countries**. For some of them there are arrangements to be represented by another Schengen country as regards visa issuing: Czech Republic represents Hungary and Austria (in Baghdad only, as Austria in Erbil has outsourced visa collection to VFS Global and visas are then processed at the Austrian Embassy in Amman); Italy represents Slovenia, Malta and Portugal; Slovak Republic represents Belgium and Switzerland.

Those Countries which are neither present nor represented in Iraq have their nearest visa offices in Amman (Finland) and Ankara (Denmark—also in Istanbul, Dubai, Tehran –, Estonia – also in Istanbul –, Luxembourg – also in Abu Dhabi) or directly at Headquarters (Lithuania). Latvia is represented by Poland at the Polish Consular Agency in Erbil, and also issues visas at Ankara.

Italy has outsourced collection of applications to an **external service provider** in Baghdad, VISAMETRIC, since the beginning of 2014. VISAMETRIC has established three offices, one in Baghdad out of the International Zone, one in Basra and one in Erbil which mainly deal with business visas applications. The office based in Baghdad had temporarily been closed in June 2014 and has recently resumed activities.

The Netherlands, as of May 2015, use the services of an external service provider, VFS, in Erbil.

The Netherlands and Sweden accept visa applications only from specific groups: businessmen, VIPs, officials.

For the Netherlands, applications are then forwarded to the regional support office in Amman for further processing.

Spain outsourced visa applications' collection in Erbil to VFS; visas are then processed in Ankara. Austria outsourced visa applications' collection in Erbil, to VFS; visas are then processed in Amman.

## 2. LSC meetings held between April 2014 and March 2015

Four regular meetings took place, between October 2014 - when the EU Delegation and the Italian rotating Presidency of the Council established the LSC - and March 2015.

Chairmanship was ensured by the EU Delegation and the host Embassy (Italy).

Common reports are drafted by the EU Delegation and are shared locally and with Capitals.

One coordination meeting chaired by the EU Delegation took place in Erbil in February 2015. The next one is scheduled in June 2015.

All meetings were very well attended by all Countries.

Meetings addressed general and Iraq-specific issues like: outsourcing of visa services, reactions to the internal crisis and to the internal conflict started in June 2014, location and staffing of visa offices, harmonised list of visa supporting documents and suggested insurance companies, statistics on visas processed and issued, drafting the first ever local Schengen cooperation report for Iraq.

## 3. State of play

### 3.1 Application of the Visa Code

With a view to curb "visa shopping" by Iraqi applicants, Member States concurred on the necessity to adopt a harmonised list of supporting documents and to submit it to the Visa Committee. Moreover, a list of preferred travel medical insurance companies (TMI) was agreed upon.

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

A harmonised list of documents was discussed and fine-tuned during the meetings. Upon reaching consensus, it was submitted to the March 2015 session of the Visa Committee in order to seek for an implementing decision. As of May 2015, Member States discussed the remarks of the Visa Committee. EU Delegation reported the relevant comments and observations to DG HOME for further discussion in the next session of the Visa Committee.

### 3.3 Exchange of information

#### Statistics

There has been a regular and useful exchange of information.

Member States and EU Delegation compared experience and information on numerous topics:

- visa offices present in Iraq, in Baghdad and in Erbil;
- number of expatriate and local staff employed;
- number and type of visas processed and issued;
- currency accepted for the payment of fees;
- cases and attempted cases of fraud and illegal migration;
- list of lawyers and consultants used to double-check authenticity of supporting documents;
- current challenges and future plans.

**Cases of fraud:** Cases of fraud and of manipulated documents have been signalled and explained by Member States in order to develop best-practices. Schengen Countries continued to exchange information about "facilitators", i.e. 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.

Members States even reported of cases of unfaithful locally hired staff caught and prosecuted on charge of faking visa's supporting documents for applicants in exchange of a bribe.

**Travel Medical Insurance companies (TMI) :** A list of preferential travel medical insurance has been elaborated.

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

Schengen States exchanged information on the practice of external visa service providers (providers, reliability, kind of services, cost etc...) with a view to create awareness and to select the best ones.

After that the internal conflict against IS/Da'esh definitely erupted in June 2014, the group also discussed the suspension of visa services in Baghdad, the implications thereof and resuming normal activities.

The proposal of quarterly meetings in Erbil (Kurdistan Region of Iraq) coordinated by the EU Delegation was accepted. The first meeting took place in February 2015 with a view to bring to the fore general and specific issues related to visa applications from the Region. Second quarter meeting is scheduled for June 2015.

## **4. Challenges**

In 2015-2016, LSC will aim at securing the definition of the list of harmonised documents by the relevant decision of the Visa Committee. It will also fine-tune the list of TMI according to the Visa Code.

Outsourcing visa services will be kept under strict control as more Countries are considering its possible use.

The security situation will be monitored in order to evaluate, should the case arises, any adaptation to the circumstances which could imply a different manner of delivering the services and/or their suspension.

\* \* \*

*This report has been approved by all MS present*



21/05/2015

## **LOCAL SCHENGEN COOPERATION (LSC) IN THE HASHEMITE KINGDOM OF JORDAN 2014-2015 REPORT<sup>1</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, LI, LT, LU, LV, MT, PT, SI, SK) that are represented by another Schengen country as follows: AT represents SI and SK; BE represents LU; CH represents LI; DE represents LT and LV, ES represents PT; IT represents MT; NL represents EE; NO represents DK, FI and IS. Those countries which are not represented in Amman have their nearest consulates in Cairo (MT, LV, LT, PT, SI), Ankara (EE, FI), Beirut (SK, DK) and London (IS).

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), whereas 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 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.

Four countries have outsourced collection of applications to an **external service provider** (VFS), namely ES since 01/01/2012, IT since 01/08/2012, EL since 15/02/2013 and SE since 05/04/2014. 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.

### **2. LSC meetings held in 2014-2015**

Seven regular LSC meetings took place in the period of April 2014 – March 2015. The meetings were generally well attended with on average more than half of the MS which have embassies in Amman. The meetings were chaired by the EUD throughout the reporting period, which 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.

Following the signing of the EU-Jordan Mobility Partnership in October 2014, an ad-hoc meeting was arranged in February 2015 for LSC members and also DCMs with the EU experts from Brussels to discuss the mobility partnership, specifically the visa facilitation agreement and

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<sup>1</sup> April 2014 – March 2015



readmission agreement. The EU experts were in Amman on a fact-finding mission in view of preparation of negotiating directives for the visa facilitation agreement and readmission agreement, and alongside meeting with the LSC, they also met with international agencies to prepare for their meeting with the authorities.

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

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

The price of visa fees was discussed in light of both (1) the weakness of EUR vis-à-vis USD (and consequently JOD due to the peg) and other currencies such as CHF, and (2) the currency in which the visa fee is to be paid at each consulate. In January 2015, the group shared with each other the prices they used in order to ensure as much uniformity as possible.

#### **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. As was the case during the previous reporting period, MS report that they still receive incomplete applications, typically lacking updated bank statements or reservations for accommodation/flights, and also falsified supporting documents and reservations made through "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). To try to address the issue of falsified documents, some MS request applicants to provide the original documents along applications instead of copies.

CH raised the issue of Syrians (be they refugees or businesspeople for example) who need to travel to the Schengen area for legitimate reasons but where the CH consular staff have concerns about whether the Jordanian authorities will allow them to subsequently re-enter Jordan. Despite it not being on the list of required documents, CH is requiring such cases to provide proof of a re-entry visa for Jordan before granting the Schengen visa.

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

**Statistics:** Applications have risen year on year by an average of 21% with Austria experiencing an increase of 87% due to the opening in January 2014 of an application centre in Arbil, Iraq, with its applications being processed in Amman.

As per 2013, Germany again received the highest number of Schengen C applications (8429). Across the countries, the average approval rate was 83% (versus 85% last year) and refusal rate 13% (versus 11% last year). Austria had the highest refusal rate at 27% and Czech Republic had the lowest at 4%. The main reasons for refusal were: intention of leaving territory of MS before expiry of visa could not be ascertained; lack of proper supporting documents; not reliable information.

Visas issued for Iraqi nationals made up 11% of the total visas issued (down from 11.6% last year). Austria issued 33% of its visas to Iraqis, Norway 20% and Switzerland 19%. For Syrians the total number is 7%, up from 5% last year. For Norway Syrians made up 36%, whereas the percentage was only 1% for Hungary and Czech Republic. For more statistics, see the attached table.

**Medical insurance companies:** In 2012, the LSC abandoned the practice of having a common list of MICs. Schengen members had 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).

Some MS informed the group that they have experienced refusals from insurance companies to pay for medical costs. One incident mentioned concerned a refusal to bear the costs for urgent medical attention (arguing that the attention was not urgently needed) and other MS highlighted refusals based on "existing illnesses". However, the LSC agreed that it was a basic principle that insurance companies should cover the costs when urgent treatment was needed in Europe which appeared to be the case in this specific situation mentioned.

**Suspicious applications:** LSC members continued to exchange information about both the issue of "facilitators" mentioned above in section 3.2 and also suspicious applicants who may try to apply at more than one MS consulate.

### 3.4 Any other initiative taken in LSC

**Common Information Sheet:** Based on the common information sheet used in Riyadh, EUD proposed to MS using the same information sheets adapted to Jordan. One important point which was thoroughly discussed was the advice to apply at least 15 working days before the planned departure (mirroring Riyadh's advice). The MS agreed to this language and it was also agreed that each MS should also update their individual websites to reflect this, since it was revealed that each MS has been providing different advice to applicants in terms of the timeframe. It is aimed to have the final version ready by the end of May for printing.

**Tempus:** In response to a request from the Director of the National Tempus Office in Jordan for facilitation of Schengen visas for key staff members involved in the implementation of Tempus projects, the LSC agreed that those staff members may use a cover letter (which was agreed upon in the LSC) alongside their application to facilitate multiple-entry Schengen visas when those staff members must travel to the Schengen area in relation to Tempus projects.

**Independent Election Commission (IEC) :** LSC in March 2015 discussed a letter sent to the EU Ambassador from the President of the Independent Election Commission to request the facilitation of Schengen visas for members and officials of the IEC who must undertake trips to the Schengen area for capacity building and knowledge sharing. It was proposed that a cover letter similar to the one used for Tempus staff may be drafted by EUD for approval at the LSC.

## 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. The Common Information Sheet project should hopefully help to reduce this.

The higher number of requests for asylum has increased the workload of some MS, specifically SE and DE. The increase in asylum requests made by Jordanians is also a factor on which to maintain focus and investigate further.

*This report has been approved by the Local Schengen Cooperation.*



EUROPEAN UNION  
DELEGATION TO THE REPUBLIC OF KAZAKHSTAN

CONSULAR AFFAIRS

22/04/2015

## **LOCAL SCHENGEN COOPERATION (LSC) KAZAKHSTAN 2014-2015 REPORT<sup>1</sup>**

### **1. Introduction**

The Republic of Kazakhstan hosts Schengen Member States (with Bulgaria and Romania as observers) in two cities: Astana and Almaty. Twenty one MS have embassies with consular sections in the capital Astana and there are five consulates in Almaty, the former capital. The EU Delegation is located in Astana and coordinates the LSC meetings. Four MS in Kazakhstan have representation arrangements and use external providers for collection and processing of visa applications. The circumstances in Kazakhstan for submitting visa applications include vast distances between towns and cities plus harsh climate conditions that create additional burden to applicants in winter time.

### **2. LSC meetings held in 2014-2015**

During the reporting period the LSC group in Astana held 8 regular meetings on the following dates: 28 April 2014, 27 May 2014, 23 July 2014, 29 October 2014, 19 December 2014, 18 February 2015, 28 February (WG) 2015 and 22 April 2015. 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.

In addition to the regular meetings on a bi-monthly basis, the EU Delegation facilitates the Working groups meetings, e.g. two meetings of the WG on the implementation of the harmonised list of required visa documents.

The LSC group meeting are very well attended. A most important feature of the meetings in Astana is the regular participation by audio link of DG HOME from Brussels.

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

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

In Kazakhstan the Visa Code is strictly implemented in a coordinated and synchronised manner. The Code proved its relevance as a single unified legal instrument, helping to address effectively common problems raised in relation to the Schengen visa application process. Furthermore, MS were informed directly by HQ on the Visa Code Recast Proposal from 1 April 2014, that aims at easing the administrative burden for both applicants and consulates by fully exploiting the benefits

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<sup>1</sup> April 2014 – March 2015

of the Visa Information System (VIS). In Kazakhstan VIS has successfully been applied since 14 November 2013.

Specific issues that came under scrutiny included treatment of third country citizens (mainly, Russia and Ukraine) that enjoy the rights of continuous visa free stay in Kazakhstan.

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

During the reporting period the LSC group monitored carefully the implementation of the COM Decision on the list of documents to be presented in Kazakhstan. No particular proposals to amend the existing list arose.

### **3.3 Exchange of information**

As agreed amongst MS, since July 2012, a table of visa statistics is sent by EU Delegation to MS in Astana and Almaty, as well as to Brussels every month on the basis of information provided by embassies and consulates to the EU Delegation

The LSC group discussed in two of its meetings issues related to fraud and falsified documents, reported by several MS. These instances related mainly to invitations and banking account certificates. The relevant Kazakhstani and European companies and institutions have been informed about the misuse of their documents templates.

One MS, based in Moscow, inquired about particular applicants through the EU Delegation and received information from most of the colleagues from MS consulates.

The WG on travel medical insurances finalised a list of insurance companies offering adequate TMI. The EU Delegation provided assistance in gathering information from companies that wished to be considered for inclusion into it. During the reporting period there has been one problematic case for insurance obligations not having been fulfilled that was ultimately resolved.

The importance of coordination acquired additional urgency and pertinence in view of an MFA Note Verbale No 22-3/2206 dated 5 March 2015 asking several MS to submit information on various visa types, supporting documentation, visa fees, etc. Following the HQ instructions, the EU Delegation asked MS in their answers to refer to the information previously submitted to the MFA by the EU Delegation on the harmonised list under the Visa Code.

The new Kazakhstan Administrative Offences Code provided pre-requisites for finding a solution on a longstanding problem of treatment of EU citizens that overstayed the allowed period in their visas (under force majeure circumstances).

EU Delegation disseminated amongst EU MS information related to consular matters published in local press.

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

The main event in the EU-Kazakhstan bilateral relations for the last was the finalisation of the negotiations on the Enhanced PCA, some of the provisions of which were relevant to future Readmission Agreement and screening in view of the possibility for visa facilitation talks.

At a meeting with Mr Marat Ospanov, Deputy Director of the MFA Consular Department, convened by the EU Delegation on 19 December 2014, MS were informed about the elaboration of a Kazakhstan National Action Plan to prepare for such negotiations for which the Kazakhstani authorities used the experience of Moldova.

In relation to this Plan of Action the EU Delegation requested more detailed information and suggested that the Kazakhstan side could benefit from exchange of expertise under TAIEX component of the Partnership Instrument, for which Kazakhstan is eligible from 2015.

In the reporting period the Kazakhstani authorities introduced as from 15 July 2014 a short-stay visa free travel to Kazakhstan for the nationals of the ten biggest investors in the country, four of which a members of the LSC group. At a meeting with the LSC group, organised by the EU Delegation on 23 July 2014,

Deputy Director Kozhamberdiyev pointed out that the decision has one year validity and hinted that its prolongation and expansion (to cover additional EU and Schengen states) will depend to the outcomes from its implementation. The assessment was to be carried out in six months and at the end of the period. Through this decision KZ attempts to test the work of its visa issuing and migration authorities, including through innovations, such as issuing of business and investor's visas inside the country. It tries to approbate to what extend visa free travel may increase the flow of visitors, in preparation for EXPO-2017. At the same time KZ attempts to use the unilateral decision to seek more favourable visa treatment for KZ citizens by countries beneficiaries of the new arrangement and indirectly, visa simplification arrangements with the Schengen states.

At the expiration of the six months trial period, the EU Delegation joined the five EU beneficiaries of the Visa free access in a letter to FM Idrissof calling for the same approach to be applied to all EU MS.

At a meeting with Mrs Shaikenova Raushan, Director of Kazakhstan Tourist Association (KTA), organised by the EU Delegation on 18 February 2015, the MS were provided with the opportunity to receive information on KTA experience with embassies of LSC group as well as on tourists' flow trends in 2015. The growing trend of KZ citizens travelling to LSC countries as well as gradual simplification of visa procedures revealed through KTA's annual survey were noted. KTA underlined that it seeking for cooperation with European partners. Subsequently, KTA requested and received information from several MS consulates on bilateral basis.

The LSC group decided to organise a presentation on visa requirements at the upcoming EU Educational Fair in Almaty.

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

As noted in the 2013-2014 report Kazakhstan continues to address the visa issues on the highest political level. This tendency was illustrated during the working visit of President Nazarbayev to Brussels on 9 December 2014 for the finalisation of the EU-Kazakhstan negotiations on the EPCA.

In 2014-2015 the Kazakhstani government proceeded with unilateral steps to prepare for possible negotiations on readmission and on visa facilitation as illustrated by its National Plan of Action and by the unilateral decision for short-stay visa free travel to Kazakhstan by nationals of four Schengen MS. The latter decision proves the differentiated approach of Kazakhstani authorities towards the Schengen MS and may find a continuation in further efforts to seek solutions on various aspects of visa issues on a bilateral basis with some, but not all MS.

## 5. Other issues

The announced Kazakhstan's National Plan of Actions deserves careful monitoring, and if appropriate, direct support through relevant EU cooperation instruments or on a bilateral basis.

The immigration influx to Kazakhstan from other Central Asian states for the time being remains a possibility, but did not materialise in any significant way during the reporting period.

During the reporting period the EU Delegation disseminated to interested LSC information on travel advices, provided by the COOL system.

*The report was adopted by the MS at the LSC meeting on 22 April 2015.*

Nairobi, May 2015

## **LOCAL SCHENGEN COOPERATION (LSC) in KENYA 2014-2015 REPORT<sup>1</sup>**

### **1. Introduction**

There are currently sixteen (16) Schengen Member States consulates issuing Schengen Visas in Nairobi: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Netherlands, Norway, Poland, Slovakia, Spain, Sweden and Switzerland.

Romania and Czech Republic are accredited in Kenya but do not issue visa

The EU Delegation assumes the role of convening and chairing plenary LSC meetings on a regular basis (monthly except summer and December).

Some of the representations (Denmark, Sweden, Norway, Spain, Italy) use the services of Visa Facility Service (VFS).

### **2. LSC meetings held in 2014-2015**

As mentioned above, the EU Delegation chairs the meetings, which are held most of the time at the EU Delegation building. 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 accredited in Kenya.

In 2014-2015, six (6) meetings were held. The lower amount compared to the previous period was mainly due to the rotation of the Head of Administration in charge of the file within the EU Delegation. 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**

Schengen area MS are well prepared and trained to conduct their tasks under the framework of the Visa Code. No problems to report.

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

Work on harmonizing the supporting documents started 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 was sent to Brussels in June 2014. The final list was adopted on 3<sup>rd</sup> September 2014 CO(2014)6146 final.

In March 2015, only one Member State still needed to implement the decision fully. 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).

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<sup>1</sup> April 2014 – March 2015

### **3.3 Exchange of information**

The coordination of the statistics collection is now made directly by Brussels to the satisfaction of all missions. The published statistics are then shared to all once on the EU website.

Regarding local Travel Health Insurance companies, an accredited list of suitable companies is maintained up-to-date in cooperation with the MS, in particular Spain.

In case of fraud, MS communicate well with each other and exchange information and experience.

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

N/A.

## **4. Challenges**

N/A

## **5. Other issues**

N/A





**UNION EUROPEENNE**

**Délégation de l'Union Européenne  
en République Libanaise**

06 April 2015

**LOCAL SCHENGEN COOPERATION (LSC) in  
LEBANON  
2014-2015 REPORT<sup>1</sup>**

**1. Introduction**

Of the 26 Schengen Member States (MS), 14 are issuing Schengen visas in Beirut and 12 are represented by other MS. The visa issuing MS are Belgium, Czech Republic, Denmark, Germany, Greece, Spain, France, Italy, Hungary, the Netherlands, Austria, Poland, Norway and Switzerland. The countries represented by another Schengen MS are: Estonia (represented by France), Latvia (represented by Hungary), Lichtenstein (represented by Switzerland), Lithuania (represented by Austria), Luxembourg (represented by Belgium), Malta (represented by Italy), Portugal (represented by Spain), Slovenia (represented by Hungary), Finland (represented by Austria), Sweden (represented by Italy) and Iceland (represented by France). Slovakia is represented by Austria for Lebanese applicants, but by the Czech Republic for applicants legally residing in the territory of Syria. There are no LSC consular sections in Lebanon outside Beirut.

Six MS use external service providers for the collection of applications. Denmark, Italy, France and Switzerland use the provider TLS Contact whereas Greece and Spain use VFS Global. Schengen candidate country Cyprus is also using VFS Global.

Since the beginning of the Syrian crisis in 2011, Lebanon has received an enormous number of refugees. Not less than 1.3 million refugees are currently registered, corresponding to a total population increase of around 30%. Both the number of visa applicants and refusal rates has increased substantially in Beirut: The number of visa applications went up by almost 72% between 2010 and 2013 (higher than the worldwide increase of 45%) and the average refusal rate has during the same period almost doubled (from 5.95% to 11.80%).

These increases are surely related to the Syrian crisis but the lack of MS locally available statistical information on the nationality of the applicants has prevented a verifiable explanation to the increased number of applicants and of refusal rates.

In January 2015, the Lebanese authorities issued new guidelines for entry into Lebanon for Syrian nationals with the aim of reducing the high influx of refugees to the country. Even though the guidelines permit entry into Lebanon for the purpose of meeting with an embassy, some MS states experience an increased difficulty for their applicants of Syrian nationality to cross the border. An ad-hoc LSC meeting was especially devoted to the consequences of the entry restrictions for Syrian nationals.

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<sup>1</sup> April 2014 – March 2015

## **2. LSC meetings held in 2014-2015**

LSC meetings have been held with a regular interval at the premises of the EU Delegation. Five regular LSC meetings took place during the reporting period (2 April, 4 June, 9 October and 3 December 2014 and 4 February 2015). The two meetings held during the first semester of 2014 were co-chaired with CZ, following a HOMs decision in December 2013. The subsequent meetings were chaired by EU DEL in the absence of a MS co-chair.

In addition to the regular LSC meetings, an ad-hoc meeting on the new border restrictions for Syrian nationals was held in January 2015 and a workshop on fraudulent visas and official documents was held in March 2015.

The meetings were well-attended with an average of 74% attendance of the 14 embassies issuing Schengen visas in Beirut. The meetings focused on current topics such as attempted fraud and travel restrictions, the need to harmonise visa practices to prevent visa shopping and diverging treatments of visa applicants. The meetings also provided an opportunity to share information to further the coordination on a number of relevant and related topics.

When the LSC meetings were co-chaired with a member state, the member state would be responsible for the drafting of the meeting reports, but since the EU Delegation took over the chairing of the meeting, the Delegation has been in charge of the drafting of the agenda as well as the meeting reports.

## **3. State of play**

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

Statistics collected both centrally and locally in 2013 indicated substantial differences among the MS in Beirut on:

- Refusal rates: ranging from 6 % to 39 %;
- Average waiting time to get a visa: ranging from 9 to 43 calendar days;
- Workload: the number of visa applications handled per full time visa section staff member ranges from 271 to 2,720 (for visa sections that have not outsourced the visa handling to external service providers).

These differences may in turn indicate differences in visa practices – which could result in visa shopping insofar as applicants may be tempted to request a visa at an embassy known to have low refusal rates or short waiting times.

In order to identify possible differences in visa practices and, where needed, propose further harmonisation, LSC working groups composed of 2 or more MS were during the reporting period established based on the Visa Code Art 48:

- Art 48.1a – Harmonised list of supporting documents
- Art 48.1b – Criteria for exemptions from paying the visa fee
- Art 48.2 – Common Information Sheet
- Art 48.3a – Exchange of information on Monthly Statistics
- Art 48.3b – Exchange of information on Fraud and Migration Risks
- Art 48.3c – Exchange of information on Transport and Insurance Companies

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

During the reporting period a LSC working group has been established in order to assess the measures needed to be taken with regard to harmonisation of the lists of supporting documents.

### **3.3 Exchange of information**

The LSC meetings have been an opportunity to exchange information on a number of topics relevant for the issuing of Schengen visas, such as the statistical survey, travel insurances, dual passports for the sake of travels between Lebanon and Israel, fraud attempts and how to handle the high number of Syrian refugees entering Lebanon and its consequences for visa handling.

The list of official and recognised travel documents has been a standing point on the agenda of the LSC since October 2014. At each meeting, MS are asked to confirm the accuracy of the data in the list provided by DG HOME.

Statistical data on uniform visas, visas with limited territorial validity, airport transit visas issued as well as the number of visas refused is not collected locally on a regular basis. A LSC working group has been established in order to ensure that exchange of statistics is made in conformity with Visa Code Art 48.3a. Furthermore, the EU Delegation together with the MS will carry out a similar statistical exercise as last year, compiling the data for 2014 (see point 3.1).

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

#### *Fraud Workshop in March 2015*

During the reporting period, a number of MS have mentioned that the instances of fraud cases seem to have increased. As a result, a workshop on document and visa frauds, given by a Document and Visa Advisor from the German Embassy in Amman, was held at the EU Delegation in March 2015. The workshop focused on how to detect fraudulent passport, visas and other official documents, through distinguishing between different kind of printing techniques, paper- and plastic card qualities and other known techniques to forfeit documents. Besides the opportunity of learning more on document and visa frauds, the workshop also gave the participants a chance to share experiences on local instances of fraud.

## **4. Challenges**

Two main challenges for the LSC in Lebanon:

*The high discrepancy in refusal rates and average waiting time to get a Schengen visa:* More information is needed in order to better understand and analyse the substantial differences in refusal rates and average waiting time among the MS (see point 3.1). This information will be collected during the coming reporting period.

*The continuing crisis in Syria which causes a heavy workload for the MS:* Due to the on-going crisis in Syria, MS have faced an increased workload. The estimated proportion of visa applications submitted by Syrian nationals to embassies in Beirut differs widely among the MS; between 10 and 66 % of all applications received are reportedly submitted by Syrian nationals. It is important to note that not all MS can present separate statistics on Syrian and Lebanese applicants.

Due to the great impact that the Syrian crisis has had on Lebanon, the repercussions for the visa handling for the MS in Beirut has been discussed in a number of LSC meetings, including an extra

meeting in January 2015 to discuss the new entry regulations for Syrian nationals. Challenges identified include the different criteria to accept or refuse Syrian applications, increased attempted frauds, the problems for Syrian nationals to acquire the required documents from Damascus and the difficulty of proving the authenticity of official documents.

The next reporting period will also focus on the work that will be performed in the newly created working groups and to collectively implement the suggestions they present.



**UNION EUROPÉENNE**  
**DÉLÉGATION A MADAGASCAR**

15/05/2015

**COOPERATION LOCALE SCHENGEN (LSC) A MADAGASCAR**  
**RAPPORT<sup>1</sup> 2014-2015**

**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 : 22.500 demandes de visas ont été traitées sur l'année 2014, y compris visas pour DOM, CTOM, pays africains représentés ou visas de long séjour pour la France.

S'agissant spécifiquement des demandes de visas Schengen, sur 14.699 demandes traitées, 11.682 visas Schengen ont été délivrés.

Parmi ces derniers, 1850 l'ont été en représentation d'autres Etats Schengen.

- Ambassade de Suisse : 839 demandes de visa ont été traitées sur l'année 2014, dont 745 visas délivrés. S'agissant spécifiquement des demandes de visas Schengen, sur 776 demandes traitées, 687 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 :

06.06.2011, Norvège

30.01.2012, Suède

01.05.2012, Pays-Bas

01.03.2014, Pologne

01.01.2015, Hongrie

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

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<sup>1</sup> Avril 2014 - Mars 2015

général. Le rendez-vous est obligatoire. Depuis novembre 2014, les visas sur passeports officiels suivent la même procédure avec appel à un numéro dédié (087007).

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.

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 2014-2015**

Une réunion spécifiquement consacrée à la coopération locale Schengen a été organisée le 23 janvier 2015.

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 (preuve des moyens financiers) 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 des ressources et du nombre d'occupants du

logement de l'hébergeant par les mairies n'étant pas toujours probantes. La France considère également l'harmonisation comme réalisée dans la mesure du possible, sachant que les deux Etats Schengen demandent des documents qui leur permettent de justifier du motif du voyage, des ressources financières, de l'hébergement, de l'assurance, conformément aux ICC (Instructions consulaires communes).

### **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 constate régulièrement 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 : le nouveau passeport biométrique est émis par les autorités malgaches depuis décembre 2013. Il est le seul accepté par ces autorités depuis le 1<sup>er</sup> janvier 2015.

### **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.

Le consulat de France a augmenté de façon très importante la proportion de visas de court séjour circulation délivrés, et la durée de ces visas de circulation.

## **5. Divers**

L'Ambassade de Suisse est également accréditée aux Comores et aux Seychelles. Elle est représentée par l'Ambassade de France à Moroni en matière de visa Schengen. Pas de problème particulier à signaler.

*Ce rapport finalisé par la Délégation de l'UE a été établi en étroite coopération et avec la contribution des deux Etats Schengen directement concernés: France et Suisse. La Norvège et les deux autres Etats membres de l'UE présents à Madagascar ont été tenus informés.*



Nouakchott, le 27 mars 2015

**COOPERATION LOCALE**  
**AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC)**  
*EN REPUBLIQUE ISLAMIQUE DE MAURITANIE*

**RAPPORT<sup>1</sup> 2014-2015**

**1. Introduction**

En Mauritanie trois États membres (EM) sont présents: Allemagne, Espagne et France (FR). Ces trois EM ont des accords de représentation avec les États membres Schengen non présents suivants :

Allemagne : Aucun ;

Espagne: Autriche, Italie, Portugal ;

France Belgique, Estonie, Grèce, Hongrie, Lettonie, Lituanie, Luxembourg, Malte Pays-Bas, République Tchèque, Suède, Suisse.

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 2014-2015**

À Nouakchott une réunion formelle a eu lieu sur la période, avec la présence de tous les EM, présidée par la Délégation UE. 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. Uniquement FR produit un rapport annuel à sa capitale.

**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 Échange d'informations**

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<sup>1</sup> Avril 2014 – Mars 2015



Des statistiques mensuelles ont 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 États-membre, 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.

Il y a eu un échange sur les pratiques des trois EM concernant l'émission de visas simultanés, apposés sur passeports ordinaires et passeports diplomatiques, constatant que la pratique n'est pas harmonisée.

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

Les EM ont envoyé à leurs capitales des informations sur les nouveaux prix des visas pour rentrer en Mauritanie, qui ont plus que doublé de prix (de 50 à 120€).

## **4. Défis pour 2015-2016**

Maintenir les niveaux d'échange et de coordination actuels.

## **5. Divers**

Les EM constatent des difficultés sur la représentation légale des procurations, vu que les Maires n'ont plus le « rôle de notaire » et que des nouveaux documents se basent sur des documents autrefois considérés non-éligibles pour certains actes.

# LOCAL SCHENGEN COOPERATION (LSC) in Mexico 2014-2015 REPORT<sup>1</sup>

## 1. Introduction

As Mexican Nationals are not subject to visa requirements for the Schengen Area, only 2400 Schengen Visa in total have been issued to foreign residents in 2014 in Mexico by all "Schengen-Embassies". Schengen visa therefore do not represent a major or very sensitive consular activity for those embassies.

There has been no change since the last report on presence, external service providers or representation agreements since the last report (Belgium for Luxemburg and Slovenia, Austria for Malta, Denmark for Norway, Sweden and Island, Spain for Estonia).

## 2. LSC meetings held in 2014-2015

Due to the above mentioned local situation, only one well attended LSC meeting (held at and chaired by EUD) was held on April 9<sup>th</sup> 2015, back to back with a Consular Cooperation Group meeting (presided by local presidency ES). Norway and Switzerland as well as EU MS only represented at Honorary Consul level were invited to join after the Consular Group meeting. This report has been drawn by EUD and agreed upon by HOMs.

## 3. State of play

### 3.1 Application of the Visa Code

No specific problem relating to the implementation of the Visa code was mentioned during the meeting.

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

No need for action on this issue was raised.

### 3.3 Exchange of information

If necessary at all, exchange of information does take place on an ad-hoc basis between consular services of Schengen Embassies, and this issue was therefore also not touched upon during the meeting.

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<sup>1</sup> April 2014 – March 2015



Podgorica, 26 May 2015

## **LOCAL SCHENGEN COOPERATION (LSC) MONTENEGRO 2014-2015 REPORT**

### **1. Introduction**

In addition to the EU Delegation, there are now 18 member states (MS) with diplomatic representation (14 embassies, GR, AT, GB, CZ, FR, SI, IT, BG, HU, SK, PL, DE, RO, HR 3 Honorary Consuls (DK/SE, BE/NL/LU and MT) 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, drafting minutes and compiling and circulating relevant information (visa statistics, MS list of contacts).

### **2. LSC meetings held in 2014-2015**

During this period, two meetings were held in the EUD premises and chaired by the EUD's Head of Administration. Schengen countries representatives and the observers participated.

At the first meeting held on 24 April 2014, 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 Centre also compared the visa statistics report for first 3 months of 2014 with the same report from the previous year and concluded that 38 more visas were issued than the last year at the same time.

Greek embassy asked the participants if they are willing to harmonise their practice regarding the application of the exemptions from visa fee which are stipulated in article 16§5 of the Regulation (EC) no. 810/2009 of the EU Parliament and of the Council of 13 July 2009 published in OJ 243/1, on 15.9.2009) which provides that visa fee may be waived (a) for children from the age of 6 years and below the age of 12 years, (b) holders of diplomatic and service passports and (c) participants aged 25 years or less in seminars, conferences, sports, cultural or educational events, organised by non-profit organisations. Greek embassy does not apply this fee. The CAC representatives discussed in the Slovenian Ministry that children up to 12 should be without any taxes, but it will be the government decision. Currently, the fee is charged for children between 6 and 12 but not for school excursions and study, sport and religious tours. This practice cannot be changed without the government decision and once it is done, all 50 Slovenian embassies with consular departments, including in Montenegro, will implement it.

Austrian embassy does not charge for children from 6 and 12.

At the second meeting held on 19 October 2014 the Schengen countries shared the statistics on issued visas for the period of the past three months.

The Common Application centre receives lots of enquiries from the travellers if they could travel to the EU through countries which do not fully apply Schengen Agreement (such as Croatia). For this reason, it would be useful to share information and experiences on issuing Schengen and national visas in the future.

Romanian embassy issues only national visas but Schengen visas are valid and acknowledged when travelling to Romania. So far this year, the embassy issued 44 transit visas, 5 short-term tourist visas and 5 long term visas. Since July the embassy uses an electronic system for visa applications.

For the last 10 months, Italian embassy issued 462 visas, out of which 343 are Schengen tourist visas and 119 are national visas. Applicants were mainly Russians and Ukrainians. Visas for Chinese and Serbian passport holders were issued under coordination directorate of Kosovo and South Africa.

### **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 2014 and first four months of 2015 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.

Discuss the possibility to harmonise the application of the exemptions from the visa fee stipulated in article 16§5 of the Regulation (EC) no. [810/2009](#) in the next LSC meeting in autumn 2014.

#### **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 2014: Total of all MS issued visas 2014 is 1004 visas and 11 refused visas.

New amendments to the Law for foreigners were introduced as of 1 April 2015 and the guests from the Police Directorate will be invited for the clarification at the next Consular meeting in May 2015. The conclusions of this meeting will be incorporated in the next LSC Report.

Collection of worldwide statistics on consular assistance given in third countries to unrepresented citizens - from 1 January to 31 March 2015. The Delegation received replies from 13 resident and 5 non-resident MS countries but only Belgium consulate in Montenegro provided assistance to 1 citizen (from Luxembourg) and Lithuanian embassy in Hungary assisted 4 citizens (2 Chinese, 1 Nigerian, 1 Bosnian).

### **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.

### **4. Challenges**

MS will 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**

The Visa Information System (VIS) became operational in Montenegro on September 25, 2014. MSs reported that the visa application procedure sometimes takes longer as fingertips may not be clearly readable and they often must be repeated several times (sometimes 10 to 15 times).

## LOCAL SCHENGEN COOPERATION (LSC) MOZAMBIQUE 2014-2015 REPORT<sup>1</sup>

### 1. Introduction

The Local Schengen Cooperation (LSC) Group continued to meet, to deepen coordination and to perform the entrusted local tasks.

The harmonised list of documents supporting a visa application was adopted by a Commission Implementing Decision of 4/9/2014, and the LSC agreed on a joint starting date: 15 September 2014. A related press release was issued, and was published, namely on the website of the EU Delegation to Mozambique.

Schengen MS issued more than 13 thousand visas in Mozambique in the year 2014.

DK, DE, ES, FR, IT, NL, PT, FI are the 8 Schengen visa collecting/issuing MS present in Maputo, as, in the course of the reporting period, DE took up representation of CH (1 July 2015) and DK took up representation of NO (2 February 2015). Only PT has a visa issuing general consulate outside the capital (in Beira, Sofala province).

### 2. LSC meetings held in 2014-2015

The LSC had two meetings in the reporting period, which were well attended. The EU Delegation chaired the meetings, being also responsible for drawing-up the meeting reports, duly approved by MS and then sent to DG Home, and by MS to their capitals.

In between meetings, LSC coordination and exchange of information 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).

The LSC fosters an active coordination and cooperation with a view to ensuring preparedness to carry-out the tasks foreseen in the Visa Code, including harmonised application of the Visa Code provisions and implementation of the Visa Information System (VIS), in force since June 2013. No particular difficulties have been highlighted. The LSC exchanged good practices and relevant information.

Furthermore, the Group started reflecting on a common sheet for information to the public on Schengen visa procedures etc. (Article 47 n°1 of the Visa Code). In the subsequent period, the FAQs (drawn up by the Brussels Visa Committee) came in handy in this regard.

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<sup>1</sup> April 2014 – March 2015.

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

The Mozambique LSC harmonised list of documents supporting a visa application was adopted by a Commission Implementing Decision of 4/9/2014. Though most MS were already using the overall requirements therein, 15 September 2014 was the joint agreed starting date for full binding implementation.

The LSC further had the chance to exchange views on the respective implementation practical experiences.

### **3.3 Exchange of information**

During the reporting period, the LSC improved the exchange of information, namely the sharing of quarterly statistics by email, on issued visas and refusal rates.

The main grounds for refusal and trends regarding the few instances of migratory risk were discussed in the meetings.

The LSC exchanged good practices and relevant experiences in areas of interest of the Visa Code.

The LSC also had a first exchange of views on the short-stays visa part of the draft new Mozambique migration decree.

## **4. Challenges**

In the next reporting period the LSC may do some brainstorming to assert whether there is room for harmonising the implementation of the list of documents supporting a visa application or whether, following MS' experiences and insights, any process of revision or further refinement of the list could be helpful.

## **5. Other issues**

No other issues to address.



EUROPEAN UNION  
DELEGATION TO NEPAL

23 / 06 / 2015

## LOCAL SCHENGEN COOPERATION (LSC) in NEPAL 2014-2015 REPORT<sup>1</sup>

### 1. Introduction

Nepal currently hosts only five LSC Member States: Denmark (DK), Finland (FI), France (FR), Germany (DE) and Switzerland (CH).

The French Embassy no longer issues visas. The Danish Embassy is the only embassy using an external provider (VFS) for the collection of visa applications.

On Schengen visa matters, agreements stand as follows:

Denmark represents: Estonia, Iceland, Norway, Sweden

Finland represents: Finland only

Germany represents: Austria, Belgium, Hungary, Luxembourg, the Netherlands, Slovenia

Switzerland represents: Liechtenstein, Poland, Slovakia

Norway has an Embassy in Kathmandu, but the visas are issued by the Danish Embassy.

### 2. LSC meetings held in 2014-2015

The EUDEL has organised and chaired three LSC meetings during the current reporting period (one in September 2014, one in November 2014 and one in February 2015). Despite the irregularity of the meetings, the meetings are well attended by the MS. There has been no reason to organise any ad hoc meetings during the reporting period. EUDEL usually draws up a very small summary of the issues discussed and this is sent to MS. Only CH sends a short report (simple standard form) to Bern after each meeting.

Due to the limited size of each MS Embassy represented in Nepal, as well as the heavy workload for all involved, planned meetings sometimes have to be postponed.

### 3. State of play

#### 3.1 Application of the Visa Code

LSC Member States in Nepal are well-prepared to conduct their tasks and they are willing to ensure that the tasks under the Visa Code are carried out.

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<sup>1</sup> April 2014 – March 2015



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

A draft list of agreed harmonised supporting documents was submitted to DG HOME in November 2014. DG HOME submitted their comments to the LSC in Nepal in December 2014. These were discussed in an LSC meeting held in February 2015. A new version will be submitted as soon as time allows.

### **3.3 Exchange of information**

The LSC meetings are a good opportunity to exchange information on a number of local issues relevant for the issuing of Schengen visas.

The MS are exchanging information on:

- Statistics;
- Cases of fraud & refusals;
- Other issues.

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

Not applicable

## **4. Challenges**

The finalisation of the harmonised list of supporting document will be the main topic for the next reporting period.

## **5. Other issues**

The difficult political and economic situation in Nepal is pushing more and more Nepalese citizens to find ways of emigrating from their country.

*This report has been prepared by EUDEL and approved by MS.*



EUROPEAN UNION

DELEGATION TO THE FEDERAL REPUBLIC OF NIGERIA AND  
TO THE ECONOMIC COMMUNITY OF WEST AFRICAN  
STATES

**LOCAL SCHENGEN COOPERATION (LSC) in NIGERIA  
2014-2015 REPORT<sup>1</sup>**

**1. Introduction**

Member States (MS) issuing Schengen visas are present in Abuja and Lagos, and two non-MS are present in Abuja. In Abuja there are 16 Schengen MS and two non-MS (Norway and Switzerland), of which 12 MS and both non-MS issue Schengen visas. In Lagos there are five Schengen MS Consulate Generals (or similar) of which four issue Schengen visas; the two non-MS do not issue visas in Lagos. The table below summarises the situation of Schengen Area countries and their responsibilities.

**Table: Representation of Schengen Area countries in Abuja and Lagos**

No	Abuja			Lagos (Consulate General or similar)			
	Present	Issuing Schengen visas	Use of external service provider	Present	Issuing Schengen visas	Use of external service provider	
1	AT	yes					
2	BE	yes + EE, NL, LU, LT	yes				
3	CZ	yes					
4	DE	yes – mainly government		DE	yes		
5	DK	no		DK	no		
6	EL	yes					
7	ES	yes – mainly government	yes	ES	yes	yes	
8	FI	yes					
9	FR	yes	yes	FR	yes + NL, LT	yes	
10	IT	no		IT	yes + CY		
11	HU	yes					
12	NL	no	yes				
13	PL	yes					
14	PT	yes	yes				
15	SK	no					
16	SE	yes + DK, LV, SK					
17	CH	yes					
18	NO	yes				yes	

Note: The non-Schengen MS present in Abuja Nigeria are: Bulgaria, Ireland, Romania, and the UK (Abuja and Lagos)

<sup>1</sup> April 2014 – March 2015

## 2. LSC meetings held in 2014-2015

Three LSC meetings were held in the year 2014-2015:

1. 14th May 2014
2. 12th August 2014
3. 25 February 2015
4. 13th March 2015 (Lagos)

All meetings which are chaired by the EU Delegation were well attended. Non-Schengen Member States, Ireland and the UK do not participate, but both Bulgaria and Romania are invited to participate. No ad-hoc meetings were held. Key issues addressed have been visa statistics, and the Schengen priorities of the Italian Presidency. The meeting of 25th February provided an opportunity to review the mandate of Local Schengen Cooperation under Article 48 of the Visa Code.

The meeting of 14th March was, as a new step, held for the first time in Lagos with the Consuls responsible for issuing Schengen visas. It also provided an opportunity to discuss LSC where the vast majority of visas are issued (around three-quarters). The five Consulates issuing visas in Lagos meet with a rotating chair on a regular and informal basis to exchange views on Schengen visas. In 2014-15 they met about every two months times, addressing issues such as staffing, harmonisation of visa policies, visa application systems, and exchange of information on sensitive issues. They have also held specific meetings, notably on collaboration with the police at Lagos airport.

Minutes of meetings are prepared and shared with Member States at the subsequent meeting. For the rest of the year a programme of meetings has been agreed, with the last Wednesday of every other month (starting February), identified as the date of each meeting.

## 3. State of play

### 3.1 Application of the Visa Code

MS and the EUD are able to carry out the tasks on LSC mentioned in the visa code. As mentioned above the meeting of 25th February (Abuja) and 13th March (Lagos) provided an opportunity to review the implementation of LSC mentioned in Article 48 of the Visa Code. Particular issues were mentioned as requiring further attention to ensure improved LSC:

- *Lagos*: greater involvement and communication with the Lagos Consuls, which are responsible for around three-quarters of the Schengen visas issued.
- *Common criteria for examining applications for exemptions (Art 48(1)(b))*: this matter is not to be pursued, since the responsibility does not lie at the level of LSC.
- *Exhaustive list of travel documents issues by host country (Art 48(1)(c))*: no such list exists and it is proposed to put one in place.
- *Common Information Sheet (Art 48(2))*: this information does not currently exist, but work is underway in collaboration with EU HQ to prepare General and Nigeria specific FAQs and ensure appropriate web links for Schengen Area Member States.
- *Monthly Statistics (Art 48(3)(c))*: Monthly statistics are not exchanged; although annual statistics have been circulated. Further discussion is to take place with MS for the format of numbers that might be prepared, and whether this information should be collated on a monthly or quarterly basis.

- *Assessment of migratory and/or security risks (Art 48(3)(b))*: The general security matters are usually discussed in other for a (eg under the EU Migration and Mobility Working Group, and dialogue with the Nigerian Government). It has been agreed to assess from time-to-time whether discussion in this area is needed.
- *Information on cooperation with transport companies (Art 48(3)(c))*: No problematic matters were identified.
- *Information on insurance companies (Art 48(3)(d))*: MS have agreed to share information on this matter in an agreed format.

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

The harmonised list of supporting documents (Art 48(1)(a) of the visa code was) was approved by a Commission Implementing Decision of 6.8.2012 C(2012)5310 final. No formal monitoring has been undertaken of the harmonised list. All MS state that they are using the list, but have in LSC meeting identified a number of issues:

- should be clear that these are minimum requirements;
- sometimes not clear what is needed, for example, what is meant by "proof of employment";
- the list does not determine how you act on the information – in some cases MS will refuse a visa if there is no proof of accommodation; for other MS this is not the case;
- visa shopping still taking place – even between Lagos and Abuja;
- importance of ensuring an "application stamp" (application is admissible – Annex III of the Visa Code) in passports has been emphasised by all Schengen MS.

At present no amendments have been proposed to the harmonised list. It has been suggested that a more formal assessment of the use of the harmonised list be undertaken in the future.

### **3.3 Exchange of information**

Exchange of information takes place between the MS issuing Schengen visas. This exchange of information takes place through email. For the three main issues which are expected to be reported on, the following observations can be made:

- Statistics are currently examined on an annual basis but there are plans to review this matter (see above, section 3.1).
- Sensitive issues: cases of fraud and malpractice, assessment of weak links in visa checking, staffing matters, trafficking issues.
- Travel Medical Insurance: sharing of information is to be carried out (see above section 3.1)

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

The main initiative taken in 2014-15 was to ensure better LSC between Abuja and Lagos a better flow of information between staff in the two cities, including holding from time-to-time meetings in Lagos.

#### **4. Challenges**

The main challenges listed in the 2013-14 report were (i) the unstable political situation in the region, notably in North-East Nigeria which could have an impact on migration to Europe; and (ii) the Elections to take place in early 2015. The effect of both these challenges on LSC and the Schengen Area are not immediately apparent.

The subjects to be addressed in the next reporting period of 2015-16 are mentioned above, in particular in section 3.2 on the application of the visa code, and in section 3.2 on the harmonised list of documents.

#### **5. Other issues**

No other issues to be raised.



6 May 2015

## **LOCAL SCHENGEN COOPERATION (LSC) PERU 2014-2015 REPORT<sup>1</sup>**

### **1. INTRODUCTION**

At least three LSC reports have been drawn up in Peru.

The EU Member States represented by an Embassy in Peru are: Austria, Belgium, Czech Republic, Finland, France, Germany, Greece, Italy, Netherlands, Poland, Portugal, Spain, Romania, United Kingdom. Each Embassy has a Consular Section/General Consulate. The Swiss Consulate takes part in LSC.

In terms of Schengen representation in Peru, there are the following agreements:

- Germany represents Lithuania.
- Austria represents Malta and Slovenia.
- Belgium represents Luxembourg.
- The General Consulate of Spain, which represents Slovakia in Peru through a contract put out to tender by the Spanish Ministry of Foreign Affairs, has entrusted the management of their visas, including appointments, collection of documentation and prior electronic processing of applications, to the services company VFS Global.
- Finland represents: Denmark, Estonia, Hungary, Iceland, Norway and Sweden.

As regards LSC, the EU Delegation chaired meetings during the period April 2014-March 2015.

### **2. LSC meetings held in 2014-2015**

Between April 2014 and March 2015, seven regular LSC meetings were held (five in 2014 and two in 2015). The meetings were attended by most of the European Union consulates present in Peru, plus Switzerland and the EU Delegation, which usually chairs the meetings that are held in its building and drafts the minutes of the meetings.

Consular meetings were held where a number of topics of common interest were on the agenda. These included: the situation of prisoners from EU and Schengen countries in Peruvian prisons; Migration Act; arrival of tourists without an entry stamp in their passports and subsequent expulsion; security; natural disasters, and so on.

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<sup>1</sup> April 2014-March 2015.

In the last year, non-Schengen countries have not attended LSC meetings. In the past, these countries were invited to attend in order to discuss topics of common interest. No LSC meetings are held outside Lima.

### **3. Current situation**

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

The EU Delegation draws up the agenda in line with the priorities / most important events in recent weeks.

There is a constant and satisfactory exchange of information and coordination between the Consuls on matters relating to the Visa Code and its application.

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

There is still no harmonised list of supporting documents, but the differences are slight. Harmonisation is complicated as the fee is not the direct responsibility of the consulates. Since the differences in fees are negligible, harmonisation does not seem to be necessary.

There is no common information form, but the information requested is similar.

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

- Monthly statistics: circulation is not systematic.
- Cases of fraud: alteration of visas issued by other embassies, alteration of dates of entry and exit stamps, false certificates of employment, alteration of bank data taken from the Internet, bigamy.
- Travel medical insurance (TMI): there are insurance companies that offer TMI, but the Consuls report specific instances of failure to activate the insurance and forged TMI documents.
- Travel documents issued by Peru consist of three types of passport:
  5. Peruvian passport (normal);
  6. Diplomatic passport;
  7. Special passport.

Holders of diplomatic passports do not need visas for most of the Schengen Member States represented in Peru.

#### **3.4. Other initiatives taken in LSC**

In 2013 and 2014, LSC conducted the information campaign on the introduction of the Visa Information System (VIS) in Peru, with coverage by some national media.

### **4. Challenges**

The biggest challenge is to continue maintaining LSC, which all the Consuls regard as good: direct contacts and a frank and permanent dialogue on Schengen issues leading to rapid solutions to problems

*All the Embassies/Consulates involved in Local Schengen Cooperation approved this report.*



26/05/2015

## LOCAL SCHENGEN COOPERATION (LSC) in MOSCOW 2014-2015 REPORT<sup>1</sup>

### 1. Introduction

All Schengen Member States/associated Member States remain present in Moscow with the exception of Liechtenstein which is represented by Switzerland. At the end of March 2015, only few of them do not use external service providers for the collection of visa applications, and representation arrangements have been established at least in Ekaterinburg, Irkutsk, Kaliningrad, Murmansk, Petrozavodsk, Pskov, Sovetsk and St. Petersburg.

### 2. LSC meetings held in 2014-2015

During the reporting period, ten LSC meetings were organised in Moscow.<sup>2</sup> All meetings were chaired by the EU Delegation (EUD) and well attended by Schengen Member States (as well as Bulgaria, Croatia, Cyprus and Romania). Representatives of external service providers participated in one LSC meeting<sup>3</sup> as guest speakers, and invitations to two meetings<sup>4</sup> were exceptionally extended also to the UK and Ireland. EUD also met twice<sup>5</sup> 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

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.).

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<sup>1</sup> April 2014 – March 2015.

<sup>2</sup> On 23 April, 27 May, 27 June, 16 September, 21 October, 18 November, 10 December, 20 January, 25 February and 31 March.

<sup>3</sup> On 31 March.

<sup>4</sup> 23 April and 27 May.

<sup>5</sup> On 19 November and 11 February.



### 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 has been awaiting the conclusion of the amended EU-Russia Visa Facilitation Agreement). Practical implementation was on the LSC meeting agendas intermittently during the reporting period when the participants did not express any particular concerns.

### 3.3 Exchange of information

The LSC discussed regularly monthly statistics; in 2014, the number of Schengen visa applications submitted in Russia decreased (from 7.0 to 5.8 million) for the first time in many years while the share of issued multiple-entry visas increased (from 55% to 60%) and the refusal rate marginally decreased (to 0.9%) in comparison to 2013. In Moscow, the total number of applications decreased (4.7 to 4.0 million), the share of multiple-entry visas increased (from 43% to 50%) and the refusal rate remained unchanged (at 1.0%). Information on cases of fraud was regularly exchanged within the LSC (and through the local anti-fraud group), and a dedicated assessment took place of migratory and security risks, including sources of information at local level (social security, health insurance, fiscal registers, entry-exit registrations), use of false/counterfeit/forged documents, illegal immigration routes and refusals.

During the reporting period, the LSC discussions were dominated by the preparations and information campaign for the roll-out of the Visa Information System as well as practices with regard to visa applications lodged by the residents of Crimea or Ukrainian persons (incl. refugees) in Russia. In addition, the LSC considered *inter alia*

- *principles of visa issuance* (issuance of visas for holders of double citizenships; conditions of issuance of multiple-entry visas for tourists; definition of the correct use of previous visas; visa applications by Serbian citizens and by local staff of third-country Embassies);
- *visa fees* (harmonisation of visa fee waivers for children aged 6-12 years, holders of diplomatic and service passports, young participants in events organised by non-profit organisations and disabled persons; submission to the Russian MFA of statistics on visa applications lodged without charging a fee);
- *other practicalities related to visa issuance* (handling of discovered fake Russian documents; practical methods of delivery of visa applications from external service providers to the consulates; cross-referencing between two passports of one person; calculator on short stays in the Schengen area; submissions of fraudulent documents notably by persons from Tajikistan and the North Caucasus; organisation of interviews on distance; collection of biometrics from Russian diplomats; visa refusal rates; hotel bookings over the internet for visa applications of tourists);
- *information provision* (notably in view of the VIS roll-out);
- *cooperation with external service providers, travel agencies and travel insurance companies* (changes in the number of applications by individuals and through travel agencies at external service providers; proposal to ensure collection of applications and delivery of issued visas at doorsteps; offer of cut-price tickets by Aeroexpress in return of publications at external service providers; unpaid bills by Russian travel insurance companies; practical checks on terms of travel insurances; practical checks on external service providers);
- *the EU's visa related policy* (implementation of travel restrictions imposed on individual Russian citizens);

- *Russia's visa policy* (legislative amendments to facilitate issuance of visas, 72-hour visas for tourists at the border-crossing points of Kaliningrad); and
- *relevant events and developments* (opening of new offices of external service providers, expert meetings under the EU-Russia Migration Dialogue, EU-Russia Joint Readmission Committee, EU-Russia Joint Visa Facilitation Committee).

Some LSC meetings were also used to briefly discuss consular issues while dedicated consular protection meetings were organised by the respective rotating Presidencies.

### 3.4 Any other initiative taken in LSC

During the reporting period, the LSC agreed on the amended Russian translation of the uniform visa refusal form and updated a comprehensive table on consular presence in the Russian territory for the purpose of collecting Schengen visa applications. The LSC also organised in cooperation with Frontex two one-day<sup>1</sup> consular staff trainings in Moscow on falsified travel and supporting documents.

In the context of preparations for the VIS roll-out, the LSC approached the Russian MFA and data protection agency Roskomnadzor in writing on the possible impact of the federal legislation on data localisation as well as organised study visits to the U.S. Embassy and UK visa centre in Moscow<sup>2</sup> on how they collect biometrics from the applicants. The LSC started preparations for a VIS roll-out workshop to learn from the relevant experiences from Kazakhstan and Turkey.

## 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 2015-2016.

In terms of other subjects to be addressed within the next reporting period (2015-2016), the roll-out of the VIS in Russia on 14 September 2015 and the legal and practical consequences of the illegal annexation of Crimea by the Russian Federation 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 has 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.

\* \* \* \* \*

*This LSC Moscow 2014-2015 report has been approved by all Member States present and EUD.*

<sup>1</sup> On 1 and 2 July.

<sup>2</sup> On 29 January and 3-4 February, respectively.



10/06/2015

## **LOCAL SCHENGEN COOPERATION (LSC) in ST PETERSBURG 2014-2015 REPORT<sup>1</sup>**

### **1. Introduction**

16 Schengen Member States/associated Member States remain present in St. Petersburg (the Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, the Netherlands, Norway, Poland, Slovakia, Spain and Switzerland). At the end of March 2015, only few of them do not use external service providers for the collection of visa applications while Belgium, Denmark, Malta, Portugal and Sweden only rely on ESPs in St. Petersburg. In addition, Austria is represented by Finland, Liechtenstein is represented by Switzerland, Luxembourg by the Netherlands and Slovenia by Latvia in St. Petersburg.

### **2. LSC meetings held in 2014-2015**

During the reporting period, seven LSC meetings were organised in St. Petersburg.<sup>2</sup> All meetings were chaired by the EU Delegation (EUD) and well attended by Schengen Member States (as well as Cyprus).

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. The consulates in St. Petersburg coordinate their practices closely with their colleagues in Moscow in line with the outcomes of the discussions in Moscow.

### **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**

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 has been awaiting the conclusion of the amended EU-Russia Visa Facilitation Agreement). Practical implementation was on the LSC meeting agendas intermittently during the reporting period when the participants did not express any particular concerns.

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<sup>1</sup> April 2014 – March 2015.

<sup>2</sup> On 24 April, 4 July, 22 September, 31 October, 3 December, 4 February and 18 March.

### 3.3 Exchange of information

The LSC discussed regularly monthly statistics; in 2014, the number of Schengen visa applications submitted in Russia decreased (from 7.0 to 5.8 million) for the first time in many years while the share of issued multiple-entry visas increased (from 55% to 60%) and the refusal rate marginally decreased (to 0.9%) in comparison to 2013. In St. Petersburg, the total number of applications decreased (1.6 to 1.3 million), the share of multiple-entry visas increased (from 86% to 89%) and the refusal rate marginally decreased (from 0.8% to 0.6%). Information on cases of fraud was regularly exchanged within the LSC.

During the reporting period, the LSC discussions were dominated by the preparations and information campaign for the roll-out of the Visa Information System as well as practices with regard to visa applications lodged by the residents of Crimea in Russia. In addition, the LSC considered *inter alia*

- *principles of visa issuance* (issuance of urgent visas for family members of diplomats; issuance of residence permits for parents whose child has become a citizen of a Schengen country);
- *visa fees* (harmonisation of visa fee waivers for children aged 6-12 years, holders of diplomatic and service passports and young participants in events organised by non-profit organisations; urgent visa fee for children under the age of 6; currency of the visa fee; fees related to method of payment);
- *other practicalities related to visa issuance* (calculator on short stays in the Schengen area; collection of biometrics from Russian diplomats for national visas; hotel bookings over the internet for visa applications; amended Russian translation of the uniform visa refusal form; submissions of applications by Armenians with fraudulent marriages or supporting documents; parental consent for travelling minors);
- *information provision* (notably in view of the VIS roll-out and on the new method of calculation of short stays);
- *cooperation with external service providers, travel agencies and travel insurance companies* (service fees charged by external service providers, experiences on working with external service providers; general situation of travel agencies in Russia; number of accredited travel agencies; provision of separate proof of travel insurance; terms of travel insurances);
- *the EU's visa related policy* (implementation of travel restrictions imposed on individual Russian citizens);
- *Russia's visa policy* (legislative amendments to facilitate issuance of visas); and
- *relevant events and developments* (protection of consular premises, opening of new offices of external service providers, expert meetings under the EU-Russia Migration Dialogue, EU-Russia Joint Readmission Committee, EU-Russia Joint Visa Facilitation Committee).

Some LSC meetings were also used to briefly discuss consular protection issues, including lengthy re-entry bans imposed by Russia even for inadvertent overstays.

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

During the reporting period, the LSC organised in cooperation with Frontex a one-day<sup>1</sup> consular staff training in St. Petersburg on falsified travel and supporting documents.

In the context of preparations for the VIS roll-out, the LSC started preparations for a study visit to the U.S. Consulate in St. Petersburg on how they collect biometrics from the applicants and for a VIS roll-out workshop to learn from the relevant experiences from Kazakhstan and Turkey.

## **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 2015-2016.

In terms of other subjects to be addressed within the next reporting period (2015-2016), the roll-out of the VIS in Russia on 14 September 2015 and the legal and practical consequences of the illegal annexation of Crimea by the Russian Federation 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 has 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.

\* \* \* \* \*

*This LSC St. Petersburg 2014-2015 report has been approved by all Member States present and EUD.*

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<sup>1</sup> On 3 July.



EUROPEAN UNION

DELEGATION OF THE EUROPEAN UNION  
TO THE KINGDOM OF SAUDI ARABIA

الاتحاد الأوروبي

مندوبية الاتحاد الأوروبي إلى  
المملكة العربية السعودية

Riyadh, 31/5/2015

## LOCAL SCHENGEN COOPERATION (LSC) in Saudi Arabia 2014-2015 REPORT<sup>1</sup>

### 1. Introduction

A total of 18 Schengen Member States<sup>2</sup> (MS) are represented in Riyadh. Four of them<sup>3</sup> also have consulates in Jeddah. The majority (11) of Schengen member states are making use of an external service provider (ESP) to collect and process visa applications. This is currently the case for Austria, Denmark, France, Germany, Italy, Malta, the Netherlands, Portugal, Spain, Sweden and Switzerland. 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 Al-Khobar.

### 2. LSC meetings held in 2014-2015

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; Romania and Ireland occasionally attended.

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. 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

As in the previous year, the implementation of the main destination rule (art. 5 VC) remained a challenge: Local media and travel agencies repeatedly published misleading information about the relevant rules. At the same time, the border control authorities of certain Schengen MS continued to enforce the main destination rule particularly strictly, including refusals of entry at the border. This led to occasional informal complaints from the host country authorities. In general, the situation has slightly improved as the host country authorities are now fully aware of the rules, understand them, and inform their citizens accordingly.

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<sup>1</sup> April 2014 – March 2015

<sup>2</sup> AT, BE, CZ, DK, FI, FR, DE, EL, HU, IT, MT, NL, PL, PT, ES, SE, CH, NO

<sup>3</sup> FR, DE, EL, IT

### **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) some MS representatives put the existing list for Saudi Arabia into question. After discussion, LSC agreed to maintain the list as it is and to abstain from launching the procedure for changes.

Towards the end of the reporting period it emerged that the harmonised list is not always being uniformly implemented by consulates in Jeddah. EUD reminded MS of the need to continue ensuring a harmonised application of the list and the need to keep its elements publicly available. EUD will need to follow up on this during the next reporting period.

### **3.3 Exchange of information**

MS regularly discussed the situation of Syrian visa applicants, in particular in view of the guarantees given by the government of Sweden to refugees arriving on its territory.

MS regularly discussed their experience with the External Service Provider and exchanged best practice as to the enforcement of legal and contractual obligations.

MS circulated amongst each other cases of suspected fraud bilaterally or by means of the LSC mailing list.

The list of trusted providers of Travel Medical Insurance was not updated during the reporting period.

EUD struggled to assure the regular compilation of monthly visa statistics (art. 48.3.a VC) due to staffing issues and to irregular transmission of the relevant data from the MS. LSC agreed that in the future the extraction of the data from the VIS would be the most efficient and reliable solution.

EUD reminded MS of the need to regularly inform their consulates in Jeddah of the outcomes of the LSC meetings.

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

In view of the regular challenges met by MS in their relations with the single existing External Service Provider, EUD undertook an inspection visit to the Riyadh premises of the ESP to convey the message of a uniform and united approach of all Schengen countries in KSA.

EUD designed, printed and distributed the Common Information Sheet (article 48 (2) Visa Code) agreed earlier by KSA Local Schengen Cooperation (in English and Arabic).

EUD designed, printed and distributed a Schengen Information Poster based on the agreed Common Information Sheet (see above).

## **4. Challenges**

During the reporting period, one MS publicly announced that it would start regularly issuing multiple-entry visa with a long validity, usually of 4 years, depending on the expiry date of the passport. The MS reports that since then, 4-year visas have actually been issued for 35-40% of Saudi visa applicants, including first-time applicants. While the MS in question has subsequently experienced a significant increase in visa applications, some other MS have reported a decrease in

applications received Some MS raised the concern that the new policy could lead to visa shopping and security challenges. The MS in question assures that it has increased its vigilance when undertaking VIS checks on the applications and that it strictly examines whether it is indeed the main destination.

During the reporting period, LSC has not succeeded in convening a third meeting of the joint Schengen-KSA technical working group on visa (last in 2011). 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.

However, EUD HoD undertook a demarche to the Ministry of Foreign Affairs, Deputy Minister for Consular Affairs, in order to address the most problematic issues; so far this has not led to any improvements in practice.

## **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.

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 30. Saudi Arabia does not issue any tourist visas. Saudi Arabian embassies / consulates in MS are now widely 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.

LSC members regularly expressed their frustration that Schengen consulates were issuing visas rather generously to Saudi applicants, whilst Saudi Arabia is putting manifold barriers to visa applications from Schengen citizens. LSC members decried this blatant absence of any reciprocity in visa relations between EU/Schengen and the Kingdom of Saudi Arabia.

*This report has been approved by the MS through written procedure on 31 May 2015.*





15 juin 2015

## COOPERATION LOCALE AU TITRE DE SCHENGEN ENTRE LES CONSULATS ET LES ETATS-MEMBRES (LSC) AU SENEGAL RAPPORT<sup>1</sup> 2014-2015

### 1. Introduction

Au Sénégal 10 Etats membres sont représentés au niveau d'Ambassadeur: Allemagne, Autriche, Belgique, Espagne, France, Italie, Pays-Bas, Portugal, Roumanie, Royaume-Uni. Ces Etats membres délivrent des visas pour les ressortissants du Sénégal et des pays pour lesquels ils sont accrédités. Le Luxembourg et la République Tchèque sont représentés au niveau de Chargés d'affaires a.i. La Suisse est représentée au niveau d'Ambassadeur. La Suède, le Danemark, la Finlande, la Hongrie et la Slovaquie ont des consulats honoraires à Dakar.

L'Espagne, la France, le Portugal et l'Italie ont externalisé la réception des demandes de visas auprès des sociétés externes. D'autres Ambassades sont en train d'étudier l'opportunité d'externaliser.

La plupart des Ambassades des Etats membres au Sénégal sont accrédités auprès des plusieurs pays dans la région, pour certains jusque 9 pays.

Suite à une décision du Président de la République, Macky Sall, l'obligation de se munir d'un visa d'entrée payant au Sénégal pour les ressortissants de l'UE a été supprimée le 1<sup>er</sup> mai 2015. Un circulaire officialisant cette décision est en cours de validation.

### 2. Réunions LSC organisées en 2014-2015

En 2014 et 2015 8 réunions de coordination Schengen se sont tenues avec une très bonne participation. Presque tous les Etats membres de l'espace Schengen sont à chaque fois représentés. Entre les réunions, une circulation d'information est assurée grâce à une "mailing list" constituée à cet effet.

La Délégation de l'Union européenne continue à présider les réunions de coordination locale Schengen. L'Expert National Détaché ayant quitté le Sénégal, la Chef de la section politique, presse et information arrivée à la Délégation en septembre 2014, préside actuellement les réunions, mais à la suggestion de cette dernière les réunions se tiennent dans les locaux des Ambassades des Etats membres volontaires à les accueillir. Les comptes rendus des réunions sont préparés par la Délégation de l'UE, qui établit également l'ordre du jour, avec des contributions des Etats membres.

Deux réunions spécifiques liées à la crise Ebola se sont tenues en 2014.

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<sup>1</sup> Avril 2014 – Fin mai 2015

Certains Etats membres ont participé en début 2015 à la réunion d'un groupe de travail sur la fraude consulaire, élargi aux Etats-Unis, au Canada, au Royaume-Uni etc. La prochaine réunion de ce groupe de travail sera co-présidée par la Délégation de l'UE et l'Espagne.

Les réunions de coordination Schengen permettent également l'échange d'information sur les activités, les ateliers ou des réunions spécifiques organisées par les Etats membres.

Des interlocuteurs externes (Gouvernement du Sénégal) sont invités occasionnellement aux réunions.

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

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

Les Etats membres appliquent le Code des Visas. Aucun problème particulier n'a été signalé durant la période couverte par ce rapport.

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

L'harmonisation des pratiques concernant les documents justificatifs devant être fournis par les demandeurs de visas est déjà acquise. Les réunions de coordination permettent d'échanger les informations sur les documents justificatifs.

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

Les réunions de coordination et la mailing list servent d'échanger les informations notamment sur les aspects suivants:

- les statistiques sur le nombre de demandes des visas, les taux de refus,
- l'assurance médicale de voyage,
- les cas de fraude consulaire,
- le partage d'expériences sur la vérification d'authenticité des documents délivrés par l'Etat civil du Sénégal,
- le partage d'expérience sur l'externalisation de la réception des demandes de visas, etc.

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

- Invitations aux autorités compétentes de l'Etat du Sénégal à certaines réunions.
- Note Verbale au Ministère des Affaires Etrangères et des Sénégalais de l'Extérieur dénonçant les difficultés d'obtenir des informations concernant l'arrestation ou la détention des ressortissants des Etats membres de l'espace Schengen et indiquant les numéros de permanence de toutes les Ambassades.

#### 4. Défis

La fraude consulaire continue à constituer un défi important. Le Sénégal reste l'un des principaux pays d'origine d'immigration illégale depuis l'Afrique vers l'Europe. Les routes de cette migration ont changé: de la voie maritime (embarcation partant directement depuis les côtes sénégalaises) vers la voie terrestre à travers le Mali, le Niger, vers la Libye.

La fraude documentaire reste importante, des faux passeports, y inclus des passeports diplomatiques, sont en large circulation au Sénégal.

Des délais de traitement des différents dossiers consulaires avec les autorités du Sénégal sont importants.

*Ce rapport a été préparé par la Délégation de l'UE au Sénégal et partagé avec les Etats membres de l'Espace Schengen le 15 juin et approuvé par procédure de silence le 18 juin 2015.*



30/03/2015

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

### **2014-2015 REPORT<sup>1</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.

#### **2. LSC meetings held in 2014-2015**

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 July, 17, 2014 ( meeting attended by 12 States applying the common visa policy), December, 19, 2014 (meeting attended by 13 States applying the common visa policy and 1 State committed to apply it) and on March, 25, 2015 (meeting attended by 16 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 or are committed to do so, 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>1</sup> April 2014– March 2015

### **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.

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

Due to the situation described under 3.1 MS until recently felt no need to harmonize documents, consider that practices are (broadly speaking) harmonized. In the meeting of December, 19, 2014 it was convened to revise this position in view of the obligation to adopt a list of harmonised documents and the EUD shared subsequently to MS lists of supporting documents of the LSCs in Bosnia-Herzegovina and Turkey, as an example for further discussion.

In the meeting of March 25, 2015 a consensus was reached on the start of the exercise. One Schengen Embassy (NL) volunteered to coordinate the effort by comparing current lists and setting up a working group open to participation of others which would then present a proposal to the LSC.

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

Information is exchanged among Schengen States on monthly statistics.

EUD also timely exchanged information coming from HQs (i.e. on proposals of revision/recast to the Visa Code, EASO reports, PVLMM report)

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

The information campaign on the VIS roll-out in Serbia was carried out during the reporting period, according to the instructions received by DG Home.

As agreed, the EUD sent a verbal note on July, 22 informing MFA and MOI on the start of VIS in Serbia on September, 25 with the reminder that Serbian nationals benefiting from the visa waiver under the conditions of Reg. 1244/2009 are currently not subject to the VIS procedures (while those who are still subject to Schengen visas will have to give fingerprints). The EUD had subsequently a meeting at MOI (MoI, MFA, Border Police) where it explained the VIS and its start of operations in Serbia. A notice in English and Serbian was published by the EUD in the website in -August and circulated to resident Embassies.

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 2015-2016**

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. 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 suspension mechanism introduced in the existing Visa Regulation 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 'safety brake' has not been triggered so far.

Enhanced border controls between Hungary and Serbia were highlighted by FRONTEX. Serbia also engaged in information campaigns and prosecuted some facilitators of irregular migration. At the same time push factors (deprivation, unemployment, poor access to health care, social benefits and education, discrimination) still remain an issue to be tackled more efficiently.

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 as reminded during the EU/WB JHA joint Ministerial meeting in December, 2014.

*The present LSC report has been circulated to the LSC Serbia and has been cleared on 30.03.2015*

27 May 2015

**LOCAL SCHENGEN COOPERATION (LSC) SINGAPORE  
2014-2015 REPORT<sup>1</sup>**

**1. Introduction**

Singaporean nationals are exempted from holding a visa when crossing the external borders. 16 EU Member States (including IE, RO and UK) and 15 Schengen States (including CH and NO) are represented by their Embassies based in Singapore. Under global reciprocal arrangements, 7 Schengen States currently issue visas on behalf of one or several other Schengen States. Since May 2013, CZ is represented by HU. During the reporting period, two Schengen States have been using an external service provider (VFS) to collect visa applications in Singapore. DK, which also issues visas for FI, IS, SE and NO had started outsourcing on 1 September 2013. IT, which also issues visas for MT, had started on 19 December 2013.

**2. LSC meetings held in 2014-2015**

LSC meetings were held once every two months and scheduled to coincide with meetings of Consular Officers. They were chaired by the EU Delegation. Minutes were drawn up by the EU Delegation and shared with the Schengen States' Embassies.

**3. State of play**

**3.1 Application of the Visa Code**

Schengen States and the EU Delegation worked together well, in the light of Visa Code requirements. The Head of the Political, Press and Information Section at the EU Delegation has been responsible for LSC since October 2011. The EU Delegation has occasionally requested ad hoc support on substantive questions from DG HOME.

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

Work on a harmonised list of supporting documents, started in early 2013, continued throughout the reporting period. A first draft was agreed by the LSC on 24 September 2014 and subsequently forwarded to the Visa Committee. Following the feed-back received from the Visa Committee, the LSC agreed a second draft which was presented to the meeting of the Visa Committee on 26 March 2015. At the time of reporting, the adoption of an implementing decision was expected in 2015.

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<sup>1</sup> April 2014 – March 2015

### **3.3 Exchange of information**

The EU Delegation and Schengen States' Embassies exchanged information on trends in the numbers of Schengen visas issued or refused in the LSC meetings. The EU Delegation has been compiling the statistics for 2014 based on Schengen States' contributions with a view to reporting them to DG HOME.

LSC meetings were used to discuss general trends and *ad hoc* questions. They also provided an opportunity to exchange information on best practices, including the introduction of biometric capture devices, websites informing visa applicants on the requirements and online visa application tools.

In the context of LSC, Schengen officers visited on 11 September 2014 the facilities of the Immigration and Checkpoints Authority at Changi International Airport and met with Singaporean officers in charge of immigration procedures there.

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

The EU Delegation informed the Schengen States of any published developments in relation to the Schengen area whenever it was aware of those and distributed the relevant documents to the Schengen States' Embassies.

## **4. Challenges**

Joint work towards a more unified visa deliverance practice will continue. Specific training of EU Delegation staff involved in this area appears desirable.

## **5. Other issues**

Owing to different ways of calculating exchange rates, there is no harmonisation between Schengen States when collecting visa fees in local currency. The EU Delegation circulates the exchange rate applied in the Institutions to all Schengen States' Embassies at the beginning of every month for information.



# EUROPEAN UNION

Delegation to the Republic of South Africa

15 June 2015

## **LOCAL SCHENGEN COOPERATION (LSC) in South Africa 2014 - 2015<sup>1</sup>**

### **1. Introduction**

There are 18 (soon to be 19) out of the 26 Schengen members present in South Africa – Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Netherlands, Norway, Poland, Portugal, Slovakia, Spain, Sweden and Switzerland. Lithuania is in the process of opening an Embassy in Pretoria. Furthermore, Bulgaria, Croatia, Cyprus and Romania have a diplomatic mission in the country and are invited to attend both Schengen and Consular Coordination meetings.

Key locations from consular point of view include Gauteng (Pretoria and Johannesburg), Cape Town and Durban. While many Schengen Members issue visas at their Embassies in Pretoria, many maintain Consulates in Johannesburg, which is a larger urban and economic centre.

Belgium, France, Germany, Greece, Italy, Portugal, the Netherlands and Spain have a permanent consular presence and issue visas in Cape Town), while 4 others (Visegrad countries) do it on a "part time" basis. Sweden has a permanent consular presence in Cape Town but does not issue visas.

Denmark has a Consul in Durban while many others have Honorary Consuls.

Local Schengen cooperation takes place in Pretoria, involving Gauteng based consuls.

Most Member States use external service providers for locations where they are not present but also for Gauteng. The precise functions contracted to external service providers vary from Member State to Member State.

On Schengen visa matters, agreements regarding those countries not represented are as follows:

Italy represents Malta

Sweden represents Estonia

Denmark represents Iceland

Hungary represents Latvia and Lithuania

Switzerland represents Lichtenstein

Belgium represents Luxembourg.

Germany represents Slovenia.

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<sup>1</sup> January 2014 – April 2015

The European community in South Africa is relatively large and count for around 372,955 people registered. It is of course difficult to determine the exact amount of ex-patriates as not everybody register with their respective Embassies. It should be born in mind that many EU nationals in SA have dual citizenship –South Africa and European.

## **2. LSC and LCC meetings held from January 2014 to April 2015**

From January 2014 to April 2015 the Local Consular Group (LCC) met six times<sup>1</sup> and the Local Schengen Coordination (LSC) group held three meetings<sup>2</sup>. The reason for the higher frequency of the LCC has been the significant changes introduced to the immigration rules by the entry into force of the South African Immigration Law in May 2015.

During this report period the LSC meetings were chaired by the EU Delegation. The Local Consular Coordination Group was co-chaired by the EU delegation and the Greek and Italian Presidencies in 2014 and by the EU Delegation in 2015. The EU Delegation provided administrative assistance, drafted and distributed agendas and minutes, circulated documents and liaised with the South African authorities in preparation and follow up of all the meetings.

Both LSC and LCC Groups discussed issues of relevance to consular work in South Africa. These included amongst others, the lack of notification from South African Authorities in case of accidents and imprisonment of foreign nationals; black passports, issues related to the "retention of citizenship" for South African nationals with dual citizenship; undesirable status for overstay. Travel to and from neighbouring countries has been discussed with representatives from the Department of Home Affairs.

### Lists of events:

Senior officials from the Department of Home Affairs were invited to address the Consular Coordination Group on various issues most notably on the new Immigration law. Deputy Director General from Department of Home Affairs and his team addressed the group at its LCC formation on 23 June 2014 and 25 March 2015.

The EU Regional Security Officer based in South Africa gave a short presentation on Security issues of relevance for the region (LCC meeting 25 September).

## **3. State of play**

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

Member States are implementing the Visa Code in compliance with instructions from their respective headquarters. Exchanges in the group hinted that there is no significant visa-shopping practice in South Africa as all the Schengen countries seem to be well harmonised.

The LSG provided the opportunity for the Member States to discuss issues regarding specifics of South African travel documents and residence permits, exchange of information on MS practices regarding visa regulations and the fees applied in local currency, use of external service providers, issues related to fraud and others.

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<sup>1</sup> 27 February 2014, 23 June 2014, 25 September 2014, 19 November 2014, 4 February 2015, 25 March 2015

<sup>2</sup> 16 April 2014, 19 November 2014 and 22 April 2015

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

A common information sheet has been discussed, agreed and revised by the Group and will be further discussed by the Visa Committee in Brussels. The last revision of the information sheet was made on 22 April 2015.

### **3.3 Exchange of information**

The EU Delegation disseminated the important information and relevant guidelines issued from Brussels.

Locally, statistics are gathered on regular basis, and the EU Delegation facilitates the sharing of this information. These include Consular Emergency Coordination, Visa Statistics and the Consular dossier.

## **4. Challenges**

The implementation of the new Immigration Law regarding travelling with minors coming into effect on 1 June 2015 raises several challenges particularly regarding issues for those travelling with adopted children and difficulties for many residents in obtaining unabridged birth certificates for children born in South Africa.

The implementation of the new regulations will remain a key issue with the group and one that will be re-visited with the South African authorities on a regular basis.

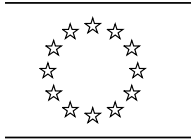
Other challenges ahead will be the consequences of the decision for the abolishment of Traineeship visas and the implementation of the new rules for Intra-companies transfer visa.

Despite the fact that representatives of the Department of Home Affairs have addressed the LCC twice, it is still challenging to always obtain an answer from the relevant services on issues regarding the new law. These challenges are also often discussed at HoMs meetings, who are kept informed on the work of both LSC and LCC meetings.

Member States' questions regarding some practicalities in the implementation of the new legislation and possible unintended consequences are often misunderstood by the national authorities who take these as criticism and adopt therefore a very defensive attitude including by comparing the new South African Immigration Law with the Schengen prerequisites.

Member States are committed to continue the dialogue with the national authorities on these issues and both the LSC and LCC are perceived as good platforms to do so.

*The report has been shared with the Member States and includes the inputs received.*



7 April 2015

## LOCAL SCHENGEN COOPERATION (LSC) in SOUTH KOREA 2014-2015 REPORT<sup>1</sup>

### 1. Introduction

20 EU Member States (EUMS) out of 28 are present in the Republic of Korea. Croatia, Cyprus, Estonia, Latvia, Lithuania, Luxembourg and Slovenia cover Korea from their embassies located in Beijing or Tokyo. Since 2014 Malta's foreign ministry covers the ROK from its headquarter in Valletta, not from Beijing anymore. Latvia decided in 2014 to set up an embassy in Seoul. This will be done in the course of 2015, which will bring the number of EUMS present in the ROK to 21. Norway and Switzerland are present in Seoul. Iceland covers the ROK from Beijing.

There was no change in the agreements of representation in consular matters. On Schengen visa matters, agreements stand 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. As of 1 January 2015 however, the Embassy of Norway in Seoul handles applications for residence, work or study permits to Norway and Denmark,
- Switzerland represents Liechtenstein.

Finland provided consular services to Estonian nationals in the past. Poland has done the same with nationals from Lithuania.

All consulates of the Schengen Area Member States take advantage of local permanent staff for the reception of visa applications, in addition to their personnel benefiting from diplomatic status. As of 15 April 2015, the Embassy of Norway in Seoul shall outsource applications to Norway and Denmark to VFS Global in Seoul. Norway will be the first Schengen Area Member State to outsource in Seoul.

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. Schengen Area Member States 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).

As an element of comparison, the US community stands at around 190,000 people (excluding military staff which count for around 25,000 people).

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<sup>1</sup> April 2014 – March 2015.

## 2. LSC meetings held in 2014-2015

### General framework

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 Greece which had been chairing LSC meetings since July 2013 in the absence of Lithuania in Seoul (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), held the chair until end of June 2014. Italy took over from July 2014. In the absence of Latvia in Seoul, HoMs agreed to keep Italy as the chair for six more months, from January to June 2015.

Meeting reports are prepared by the local chair and EU Del Korea. Participation in these meetings is satisfactory. Among the 20 EUMS that are present in Korea, around 18 participate in our meetings (including the EUMS that have not ratified the agreement and the non-EUMS that have ratified it). Even if some Schengen Area Member States are more assiduous than others, there is no boycott. Switzerland and Norway attend meetings (Iceland and Liechtenstein are not present 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 2014/March 2015 compared with the previous year.

### List of events

From April 2014 to March 2015, 4 formal coordination meetings were held in Seoul, on 16 April 2014, 16 June 2014, 24 October 2014 and 16 March 2015, the first two under the Greek chair and the last two under the Italian chair. The Consul General of the United States accepted to participate as a speaker in our 16 March 2015 meeting.

Members of the group were invited to attend three events organized by the ROK:

- the 24<sup>th</sup> Immigration Policy Forum and the 13<sup>th</sup> Korea Immigration Service & Diplomat Meeting which were organized by the Korea Immigration Service (KIS) of the Korean Ministry of Justice. Both events took place on 18 November 2014 in Ilsan (a city close to Seoul);

- a training which was organized by the Police Training Institute of the city of Asan (South Chungcheong province), on 3-5 November 2014. This training was designed to get consuls based in Korea more familiar with the rules and procedures with which foreigners residing in Korea are asked to comply.

These events proved to be very useful for consuls representing Schengen Area Member States in Korea.

The relations between the Delegation of the EU to the ROK and the Schengen Area Member States on one hand, and the KIS on the other hand, developed substantially in the course of this year:

- the Delegation of the EU to the ROK extended an invitation to the KIS to participate in the 22<sup>nd</sup> International Border Police Conference (IBPC) organized by FRONTEX in Warsaw on 22-23 October 2014. Two representatives of the KIS, the deputy director of the KIS Border Control Division and a team manager of KIS' R&D Team, participated in this event and paid a visit to FRONTEX;

- a representative of FRONTEX participated in the 7<sup>th</sup> Future Immigration Leaders' Conference organized by the KIS in Seoul and Jeju (Korea) on 17-21 November 2014.

The first contacts between the KIS and FRONTEX date back to 2013. These invitations last year are the clear manifesto of the common wish to deepen contacts on boarder management.

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

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

Schengen Area Member States 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 to some kind of back-office coordination work and holding the informal secretariat. The question of its preparation does not appear in the same terms as for the Member States.

It is not foreseen here in Seoul that the EU Delegation in Korea should chair consular coordination meetings. There is a consensus that the local chair does its work in a satisfactory manner and that the state of play should not change.

Some Member States 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 necessary 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, to the satisfaction of all representatives. Statistics are then disseminated by the Delegation of the EU to the ROK to all Member States.

The group did not have to deal with the issue of medical travel insurance during the period.

In case of fraud, Member States communicate well with each other and exchange information and experience.

The cooperation was perfect with Korea on travel documents issued by the host country. Member States consuls who are present in Seoul and the EU Delegation in Korea are also in contact with consular authorities and Member States who are present in North Korea through the 7 Member States embassies that are present in Pyongyang, which was useful in the context of the Ebola outbreak which forced authorities in DPRK in October 2014 to impose a quarantine on all foreigners residing in DPRK or willing to enter DPRK, which the group had to discuss considering that 11 Member States that are present in Seoul are also accredited to Pyongyang (this quarantine was eventually lifted in March 2015). The EU as such does not have a representation office in Pyongyang. Member States in Pyongyang represent the EU on a rotation basis.

Member States and the EU delegation in Korea have an excellent relationship with the Korean authorities, the Ministry of Foreign Affairs on the one hand, the Ministry of Justice and the KIS on the other hand. These authorities respond quickly to questions we may ask them and invite us to their meetings, 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**

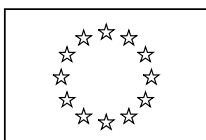
The situation remained calm regarding DPRK, except on Ebola (see above). Security issues as such were not a subject for discussion, beside ordinary exchange of information between members of the group on emergency guidelines' and travel recommendations' updates.

## **4. Challenges**

For the 2014-2015, challenges can be presented as follows:

- Each Member State and EU Del Korea to continue updating their contingency and emergency plans;
- to pursue the excellent relationship with the Korean authorities and develop the relationship between FRONTEX and the KIS;
- 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, KIS) on crisis management and on the definition of emergency plans.

*Prepared by EU Del Korea & Reviewed by Schengen Area Member States based in Seoul.*



## 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, 6 July 2015

### LOCAL SCHENGEN COOPERATION (LSC) SRI LANKA 2014-2015 REPORT<sup>1</sup>

#### 1. Introduction

There are 5 Schengen diplomatic missions in Colombo (FR,DE,IT,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. All five missions make use of the services of an external service provider VFS Global Lanka Pvt Ltd for the collection of applications. VFS has a "Joint Schengen Visa Application Centre" in Colombo a common visa collection service in Jaffna, which is being used by the missions of DE and CH.

<i>Mission</i>	<i>FR</i>	<i>DE</i>	<i>IT</i>	<i>NO</i>	<i>CH</i>
<i>Member States</i>	<i>FR, ES,PT, CZ,</i>	<i>DE,AT, HU,EE,L V</i>	<i>IT, MT</i>	<i>NO,SE, DK,FI,I S</i>	<i>CH, NL,BE,LU, PL,SI</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>VFS Global Lanka Pvt LTD</i>	<i>VFS Global Lanka Pvt LTD</i>

#### 2. LSC meetings held in 2014-2015

Two LSC meetings were held in the EU Delegation premises in Colombo, Sri Lanka (15 September 2014 and 12 February 2015) during the reporting period (1 April 2014 to 31 March 2015). Both the LSC meetings were chaired by the EU. UK and RO were invited to attend the meetings as observers like in the previous years.

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.

Some of the LSC members intend to share this common report with their headquarters.

#### 3. State of play

##### 3.1 Application of the Visa Code

The Schengen missions in Colombo are fully implementing the visa code.

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.

<sup>1</sup> April 2014 – March 2015



As in the previous years, visa shopping was a frequent happening and therefore visa officers had to spend considerable time cross checking with other missions regarding 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 supporting 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.

#### 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.

## **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 during the LSC meetings and bilaterally.

VFS Global Lanka Pvt Ltd has been preparing much in advance for the forthcoming biometric data requirements and have advanced considerably with a platform and software and have claimed that they have been involved in biometrics since 2007 and have said that they have implemented biometrics for 21 diplomatic worldwide. Despite these preparations only after the biometrics roll out later this year will we know if this can be implemented without any interruptions in their service. This therefore would remain one of the key challenges.

## **5. Other issues**

*None*



17/04/2015

## **LOCAL SCHENGEN COOPERATION (LSC) in *Taiwan* 2014-2015 REPORT<sup>1</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, Lichtenstein is represented by CH, 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 2014-2015**

EU Office is chairing the LSC meeting. LSC meeting and local meeting were held in November 2014 with a good participation. Reports are prepared by EU Office (see attached). 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**

General observation: there are far less visa requests since the implementation of the visa waiver in 2011 (1000 – 2000 now as compared to 100 000 – 200 000 before).

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

A Supporting documents 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 EU Office in November 2014.

EU Office 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. (see attached)

A list of trusted TMI companies is included in the Schengen manual. Cases of fraud reported by MS have always been very limited.

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<sup>1</sup> April 2014 – March 2015

Nevertheless, MS reported a relatively large number of Taiwanese stolen passports in Asia. This is a warning phenomenon, in particular as Taiwan is not conceded to the Interpol databases of lost and stolen documents.

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

The collective and public Q&A is regularly updated

## **4. Challenges**

Convincing Interpol to open its database of lost and stolen travel documents to Taiwan, in order to close the existing security loophole.

## **5. Other issues**

*None*



**EUROPEAN UNION**

**DELEGATION TO THE REPUBLIC OF TAJIKISTAN**

Head of Delegation

Dushanbe, 22 May 2015

**LOCAL SCHENGEN COOPERATION (LSC) Tajikistan  
2013-2014 REPORT<sup>1</sup>**

**1. Introduction**

In Tajikistan three Member States, Germany, France and the United Kingdom have their Embassies on the ground. The activity of the French Consular Section is limited to safeguarding of interest of French nationals – mainly soldiers who transited here towards Afghanistan until 1 November 2014. After closing the Consular Section in Dushanbe and shifting the visa issues to Abu Dhabi by the UK in 2014, only Germany has its consulate present here in Dushanbe (Tajikistan) and implement consular activities. That is the only embassy which has ever issued Schengen visa in Dushanbe. Citizens of the Republic of Ireland are also covered by the British Embassy Dushanbe. Germany represents 12 Schengen states (Belgium, Finland, France, Greece, Italy, Luxembourg, Netherlands, Norway, Austria, Portugal, Sweden and Spain). The representation of Denmark is not being applied at the moment.

In 2013 an honorary consul of Sweden has begun his activity in Dushanbe. Swedish citizens are registered with him.

There are plans to also install a consul honorary of the Czech Republic in Tajikistan in 2016.

**2. LSC meetings held in 2014-2015**

In 2014-15 well-attended meetings were organised on ad-hoc basis, discussing issues of common concern and interest.

On 19 February 2015 the issue of the visas issued for Erasmus+ students was raised on the level of EU HoMs. In October 2014 the first Call for Proposals for the new higher education programme Erasmus+ was launched and the students should start their exchange programmes in Europe in September. As the HQ has previously received feed-back from some EU Delegations on the difficulties the partner country students have faced in getting visas to the EU Member States raising awareness among Member State administrations about the students and staff from partner countries that will be funded by Erasmus+ over the coming years was regarded useful. EU DEL encouraged them to be sympathetic to the needs of these individuals when handling their visa and residence requests as asked jointly by the Directors-General of DG Education and Culture and DG Migration and Home Affairs within the Commission. Raising of the issue was an exemplar of cooperation between Commission and EEAS and DEVCO and EEAS.

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<sup>1</sup> April 2014 – March 2015

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 gist of the problem is that the Schengen Visa Code does not know any type of visa which could be issued for "human rights defenders". The Guidelines speaks about emergency cases which need to be harmonized with Schengen regulations.

Consular issues were also discussed during the bi-weekly EU Heads of Mission meetings.

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

#### **3.1 Application 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.

The practice of the German 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.

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 have until now been paid in Euros (cash), the German Embassy is changing the currency to TJS (local currency) starting June 1<sup>st</sup> 2015, as many applicants have been complaining about the difficulties in finding exchange offices which sell Euros. As there is no official ECB rate for TJS, the Embassy is going to regularly adjust the TJS rate to the exchange rate applied in Dushanbe.

### 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. In July 2014 a consular correspondent from EU DEL Dushanbe was nominated and became part of now 115 consular correspondents.

### 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.

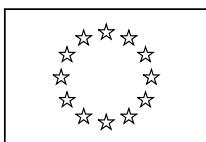
## 4. Challenges

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.

## 5. Other issues

It was very useful that the HQ uploaded some key reference documents to make them available for consultation in the EEASZone under Crisis Response in the **Consular Crisis Management** section. The same holds good of a powerpoint presentation on EU consular cooperation for consultation and information.



**EUROPEAN UNION**

DELEGATION TO THAILAND

21 May 2015

**LOCAL SCHENGEN COOPERATION (LSC) in  
THAILAND  
2014-2015 REPORT<sup>1</sup>**

**1. Introduction**

The EU Delegation to Thailand coordinates the Local Schengen Cooperation meetings in Thailand. The meetings are held regularly and the EU Delegation prepares agenda and minutes, which are shared among all LSC participants in Bangkok and relevant addressees in Brussels [DG HOME]. EU Member States and Schengen Associated States are invited to provide input for the upcoming meetings' agendas.

In 2014-2015, the number of EU Member States and Schengen Associated States remained unchanged in Thailand. In total, there were nineteen Schengen embassies represented in Bangkok, namely Austria (AT), Belgium (BE), Czech Republic (CZ), Denmark (DK), Finland (FI), France (FR), Germany (DE), Greece (GR), Hungary (HU), Italy (IT), Luxembourg (LU), The Netherlands (NL), Norway (NO), Poland (PL), Portugal (PT), Slovakia (SK), Spain (ES), Sweden (SE) and Switzerland (CH). Even though Romania (RO) is not yet part of the Schengen area, the country has a diplomatic mission in Thailand and is invited to the LSC meetings as observer. Ireland and the UK are part of exchange of information on specific subjects, but they are not invited in the LSC meetings on a systematic basis, bearing in mind Article 48(6) of the Visa Code.

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 Austria (AT), Denmark (DK), Finland (FI), Italy (IT), Norway (NO), Spain (ES) and Sweden (SE) while TLS Contact manages for France (FR) and Switzerland (CH). Belgium (BE) only uses VFS call centre service for arranging visa appointments, while The Netherlands (NL) will be fully outsourcing visa applications to VFS as from September 2015.

**2. LSC meetings held in 2014-2015**

LSC meetings have been held at regular intervals at the premises of the EU Delegation in Bangkok. During the 2014-2015 reporting period, a total of eight LSC meetings were held. Two of those were meetings on harmonisation of supporting documents for visa applications (05 February 2014 and 05 March 2014) and six were regular meetings (30 January 2014, 24 April 2014, 15 October 2014, 17 December 2014, 18 February 2015 and 29 April 2015). Since October 2014, discussions on harmonisation of supporting documents took place during the regular meetings. All these meetings were well attended and participants of the meetings were active and cooperative. Reports of the meetings are drawn up by EU Delegation and shared with EU Member States and Associated Schengen States.

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<sup>1</sup> April 2014 – March 2015

In addition to the Local Schengen Cooperation meetings, EU Member States attend meetings on Local Consular Cooperation issues, previously conducted by Italy (IT) and currently by Luxembourg (LU).

### **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 a list of supporting documents**

Harmonisation of supporting documents has been a work in progress and it has been the primary topic of many of the meetings in 2014-2015 reporting period. LSC in Thailand is currently harmonising the list of supporting documents for a Schengen visa for specific purposes: i) tourism, ii) business, and iii) family. Progress has been made following the submission of the draft harmonised list of supporting documents to the Visa Committee in November 2014 and its subsequent amendments in December 2014 and February 2015. However, there remain a number of unresolved issues prior to reaching a final agreement.

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

Some EU Member States and Schengen Associated States (DE, DK, FI, LU, NL, SE and CH) agree on a locally harmonised visa fee for adults and children based on the official ECB exchange rate. The rest of the LSC group have diverging practices, with some accepting visa fee payment in Euros and others receiving the rate directly from their capitals.

Although Article 16 (7) of the Visa Code instructs EU Member States to use the official euro exchange rate set by the ECB and round the amount charged to settle on a similar visa fee, the practices of some EU Member States diverge in this regard. The LSC group awaits for this issue to be addressed in the Visa Code recast as Article 16 (7) cannot be carried out locally as intended.

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

##### **Visa statistics**

The EU Delegation is collecting visa statistics from the EU Member States and Schengen Associated States, which have a diplomatic mission in Thailand, on a monthly basis. The table prepared by DG HOME, which asks for statistical information on visas A, C and LTV is used.

During 2014, Schengen embassies issued 210 733 C type visas. The amount continues to rise, with 194 624 applications in 2013, 187 344 applications in 2012, 170 613 in 2011 and 157 998 in 2010.



## Visa statistics for Thailand in 2014 (per EU MS and Schengen Associated State)

Visa Stats Total 2014	A visas applied for	A visas issued	Multiple A visas issued	A visas not issued	C visas applied for	C visas issued	Multiple-entry C visas issued	Circulation C visas issued (multiple entry 1+ years)	LTV issued	C visas not issued
BE	0	0	0	0	5,345	4,841	0	0	0	332
CZ	0	0	0	0	4,665	4,617	86	69	1	48
DK	0	0	0	0	7,058	3,637	3,028	0	0	533
DE	3	3	0	0	44,749	43,529	0	2,544	44	1,220
EE (rep. FI)	0	0	0	0	75	73	11	0	0	2
GR	0	0	0	0	602	585	69	0	0	17
ES	0	0	0	0	10,783	10,455	106	0	0	175
FR	0	0	0	0	35,187	32,702	0	11,697	6	1,356
IT	0	0	0	0	25,346	25,280	3,966	1,263	1	66
LV	0	0	0	0	0	0	0	0	0	0
LT (rep. DE)	0	0	0	0	23	23	0	0	0	0
LU	0	0	0	0	198	158	30	7	1	2
HU	0	0	0	0	2,294	2,257	625	0	0	37
MT	0	0	0	0	0	0	0	0	0	0
NL	0	0	0	0	9,688	9,550	5,391	4,156	3	106
AT	0	0	0	0	8,713	8,645	2,667	0	1	68
PL	0	0	0	0	872	840	21	0	0	32
PT	0	0	0	0	776	780	433	0	0	20
SL	0	0	0	0	0	0	0	0	0	0
SK	0	0	0	0	173	172	12	11	0	1
FI	0	0	0	0	6,244	6,160	210	0	0	78
SE	0	0	0	0	11,142	8,642	860	0	0	2,498
IS (rep. DK)	0	0	0	0	1,811	1,305	508	0	0	49
NO	0	0	0	0	4,889	4,741	389	5	0	148
CH	0	0	0	0	48,127	46,582	0	0	0	1,320
<b>Total 2014</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>223,415</b>	<b>210,733</b>	<b>18,412</b>	<b>19,752</b>	<b>57</b>	<b>7,776</b>

The above table shows breakdown of visa statistics for each EU Member State in year 2014. A monthly analysis of the visa statistics data would reveal an increase in number of application between February and April (peaking in March), coinciding with school holidays in Thailand.

### Common list of health insurance companies

Article 15 of the Visa Code stipulates that health insurance shall be valid for all EU Member States and shall be valid for the entire period of stay. A common list of travel and health insurance companies exists for Thailand and is still relevant. New applications are accepted twice a year and the listed regularly updated.

## **Other Issues**

During 2014-2015 LSC meetings, exchanges of information on a range of other issues took place including topics concerning trends and incidents of fraudulent and suspicious behaviour by particular individuals or groups. Furthermore, participants actively exchanged knowledge and acquaintances on fraudulent/suspicious activities committed by travel agents.

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

#### **Document Verification Training**

A member of the ICE Team from the Austrian Embassy attended the LSC meeting in February 2015 and offered to arrange document verification training workshops for the LSC group. One training workshop has already been delivered and most EU Member States and Schengen Associated States wish to participate in further trainings. The document verification trainings by ICE Team are offered on 19 and 21 May.

## **4. Challenges**

### **Subjects to be addressed within the next reporting period (2015-2016)**

- The VIS system has been operation in Thailand since November 2013 and it has improved the way visa applications are handled. However, some Member States have reported during one of the LSC meetings malfunction in the VIS system including non-registration of travel history to some countries outside the Schengen area as well as the non-registration of some visa decisions made after the VIS roll-out.

- Cooperation between Member States have allowed to identify visa applicants who are assumed to be victims of human trafficking, in the frame of an investigation led by the Swiss police liaison officer in Bangkok. Human trafficking issues have existed in Thailand in the past, but it has reached new heights with recent international media attention and discovery of serious cases in the past few months.

International media attention has helped highlight the issue of human trafficking; however, distinction is made between internal and international human trafficking. While the former is believed to chiefly involve Thai nationals a being forced to work in the fishery sector, the latter consist of cross-border trafficking of people involving Thailand.

## **5. Other issues**

- The Royal Thai Government had previously lobbied for visa-free travel for its citizens to Europe, but no further steps have been taken with recent political developments following the coup in May 2014 in Thailand.

*The report has been approved by all EU Member States and Schengen Associated States' diplomatic missions present in Thailand.*

## LOCAL SCHENGEN COOPERATION TURKEY 2014-2015 REPORT<sup>1</sup>

### 1. Introduction

The reporting period of this report relates to the period from April 2014 until March 2015 and covers all locations in Turkey where Schengen countries issue visas, namely Ankara, Istanbul, Edirne and Izmir.<sup>2</sup> The representation of Schengen states remained the same<sup>3</sup>. All States, with the exception of Latvia, are outsourcing their visa application service.

### 2. LSC meetings held in 2014-2015

The Local Schengen Cooperation (LSC) meetings were well attended. On average attendance of the Schengen countries was as follows:

- **In general:** 84,56%
- **In Ankara:** 82,85%,
- **In Istanbul:** 86,28%

The participation of Bulgaria, Romania and Croatia is not included in these statistics. However, all three countries always were invited and frequently participated. Ireland and the United Kingdom also attended most meetings as observers.

In the reporting period 10 LSC meetings were held: five in Ankara and five in Istanbul:

- 6 May 2014, LSC meeting in Ankara;
- 14 May 2014, LSC meeting in Istanbul;
- 15 July 2014, LSC meeting in Ankara;
- 10 September 2014, LSC meeting in Ankara;
- 24 September 2014, LSC meeting in Istanbul;
- 25 November 2014, LSC meeting in Ankara;
- 3 December 2014, LSC meeting in Istanbul;
- 27 January 2015, LSC meeting in Ankara;
- 3 February 2015, LSC meeting in Istanbul; and
- 26 March 2015, LSC meeting in Istanbul.

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<sup>1</sup> April 2014 – March 2015

<sup>2</sup> Turkish citizens also have the possibility to apply for a visa in Bursa, Gaziantep and Antalya for Italy and Germany at an ESP.

<sup>3</sup> **In Ankara:** Belgium, the Czech Republic, Denmark, Germany, Estonia, Greece, Spain, France, Italy, Latvia, Lithuania, Luxembourg, Hungary, the Netherlands, Austria, Poland, Portugal, Slovenia, Slovakia, Finland, Sweden, Norway, and Switzerland (totally 23 Schengen countries).

**In Istanbul:** Belgium, the Czech Republic, Denmark, Germany, Greece, Spain, France, Italy, Hungary, Malta, the 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 EUD included Edirne and Izmir MS representations (General Consulates) in the LSC mailing list and shared the minutes of LSC meetings and the statistics with all Schengen consulate locations in Turkey. Schengen States consulate staff in other locations was free to participate in the LSC meetings organized in Ankara and Istanbul.

Reports/minutes were drawn up by the EUD. The MS have been encouraged to share the LSC meeting minutes with their central authorities.

Italy as the rotating Presidency of the Council in the second semester of 2014 and Latvia in the first semester 2015 have had a constructive approach.

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

#### ***3.1 Application of the Visa Code – April 2014-March 2015***

Given the number of visas issued and the geopolitical importance of the EU-Turkey relations, the LSC is considered an important platform for the exchange of information and experiences enabling Member States to ensure a harmonised approach when it comes to visa issuance.

On several occasions, during discussions among the MS it became apparent that there are some potentially divergent practices in respect of the implementation of 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. Therefore, the EUD offered to conduct a study – “LSC-Turkey 2014” – to highlight the discrepancies in terms of a harmonised approach towards implementing the Visa code. The study is at the final stage and the final document is expected to be ready in the second half of 2015.

#### ***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 seemed to be necessary, in particular with regard to flight / travel reservations or other proof of transport/accommodation, and evidence of hotel bookings.

On 23 July 2014, a working group tasked with revising the 2011 “Harmonised List for supporting documents” was established. 10 MS (DE, IT, NL, FR, EE, LV, SE, ES, LT, and DK) under the chair of the European Union Delegation (EUD) met on 26 August, 26 September, 16 October, and 19 November 2014 to draft a revised list. After each meeting, the LSC network was informed about the proposed changes and participating States were invited to provide their feedback. Received contributions were incorporated accordingly. On the 2 March 2015 the amended “Harmonised list of supporting documents” was sent to the European Commission for further discussion in the Council’s Visa committee.

### **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 the local level.

Additionally to the monthly statistics mentioned above, statistics are collected on the duration of C-Visa, in order to see if the number of long valid C-Visa increased or decreased. The collected data represents 15 visa processing location and 60% of the visas issued in Turkey. 100% are not doable due to the fact that not all MS are able to divide the data's to the needs of the statistics.

A new statistical category was introduced to elaborate the figures for Turkish citizens. The "new statistics" are splitting the visa applications into "Turkish" and "3<sup>rd</sup> country nationals" applications. This step was deemed necessary since many refusals do not concern Turkish citizens but other nationals who applied for visa in Turkey.

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.

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, including the exchange of statistics relating to both visa and asylum requests by Syrian nationals.

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 on 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 requests; iv) the impact of "usurpation of identity documents" (*look alike cases*) in the assessment of a Syrian visa request.

### **3.4 Other initiatives taken within the LSC framework**

Public outreach meetings were organised in an attempt to explain the Schengen visa system to the wider public and, in particular, to businessmen associations and local chambers of commerce in different locations throughout Turkey.

Following the first positive experience of Konya (December 2013), a second wave of public diplomacy initiatives was planned 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" consisting of visits to TOBB branches all over Turkey (4-5 visits every year) during which a presentation of the Schengen rules and procedures and a Q&A session. The first session took place in Ankara on 21 March.

Following sessions have been carried out:

7 March 2014 in Trabzon; 17 April 2014 in Gaziantep; 23 September 2014 in Bursa; 27 November 2014 in Eskisehir; 3 February 2015 in Van.

- LSC updated two drafts Schengen Information publicity documents 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 promoted a common communication strategy regarding the start of VIS in September 2014, in order to provide in a timely manner the relevant information on the requirements of the new system both to the Turkish authorities and to the public, taking into consideration the high sensitivity of the Turkish citizens towards the visa issue.
- LSC has been following the developments of the Visa Liberalization Dialogue (VLD) between Turkey and the EU and the adoption of the Readmission Agreement. Several colleagues of the LSC group also attended the meetings and de-briefing sessions organised during the VLD expert missions.
- On LSC request and with the EUD and Italian Consulate support, FRONTEX organised training on documents' fraud between 11 and 13 November 2014 in Istanbul. The training was open to both posted as well as locally hired visa officers and was attended by 80 participants from 15 different MS. The workshop was generally considered very useful in both improving officers' capabilities to recognise forged travel documents and as a *forum* to exchange good practices in processing Schengen visa requests.

#### 4. Challenges in 2015-2016

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 given the ongoing visa liberalization dialogue and the entry into force of the Readmission Agreement.

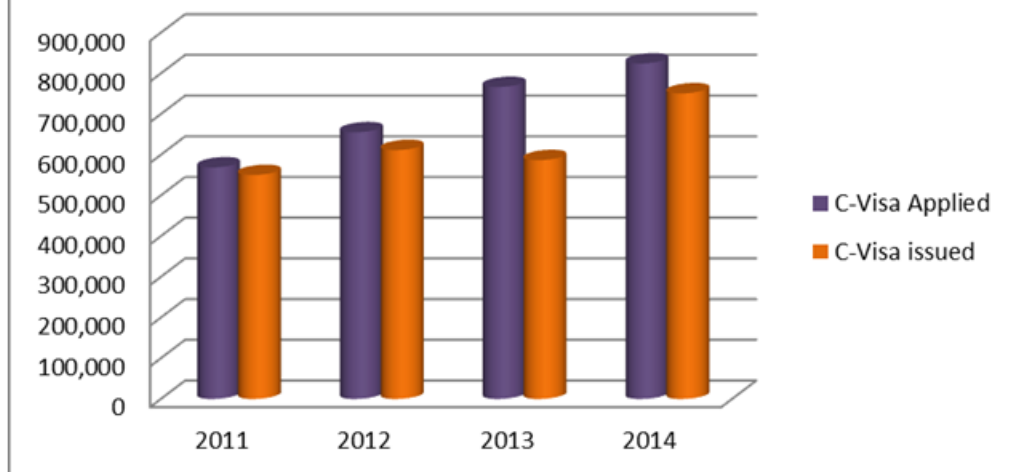
Once a "new harmonized list" is approved, the LSC network will work on a "common" implementation.

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.

*Attachment: Visa statistics Turkey/all locations*

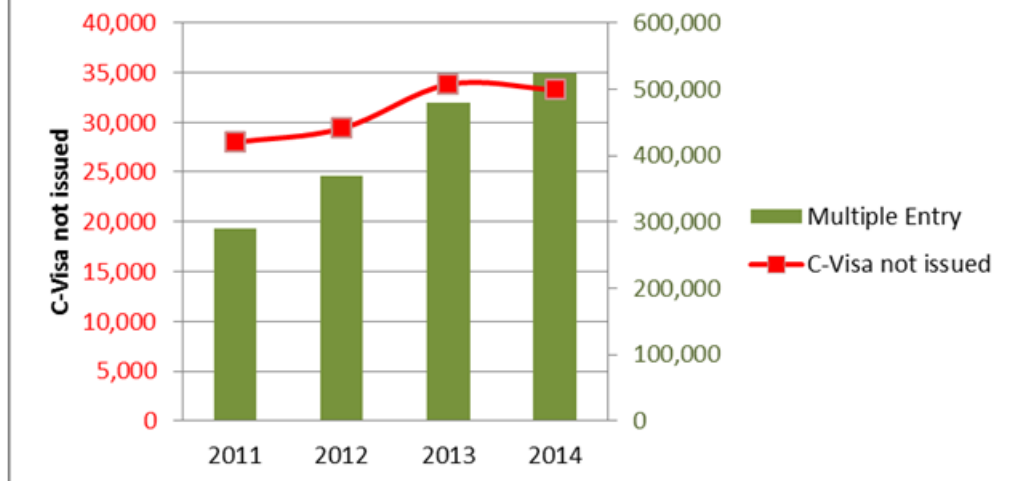
	C-Visa Applied	C-Visa issued	Multiple Entry	% Multiple entry	not issued	% refusal rate
2011	568,917	550,338	288,894	52.49%	28,007	4.90%
2012	655,205	611,562	368,481	60.02%	29,383	4.40%
2013	766,610	586,848	479,149	81.64%	33,811	4.40%
2014	824,432	750,968	523,690	69.73%	33,353	4.62%
Total	2,815,164	2,499,716	1,660,214		124,554	

## C-Visa Applied vs. C-Visa issued

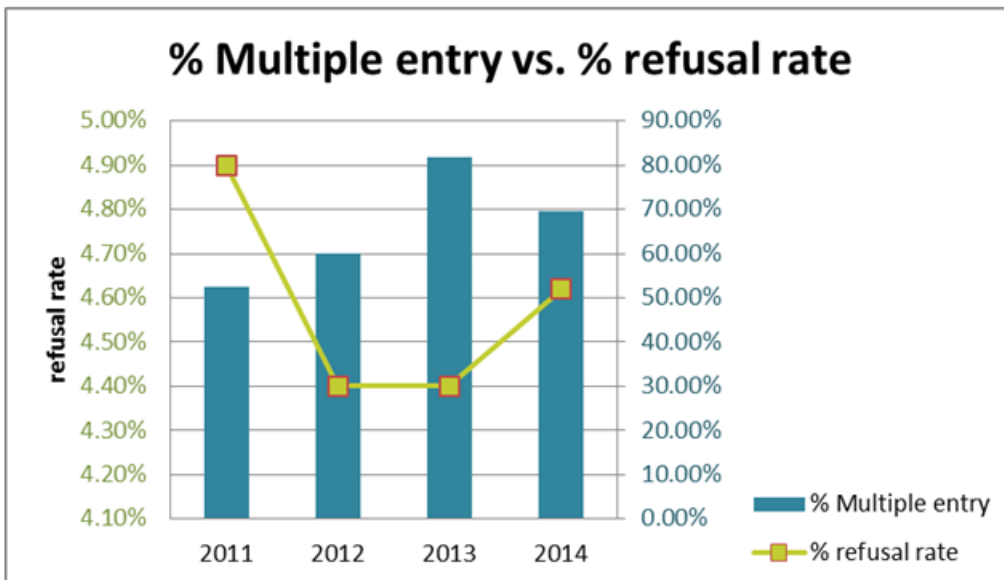


	Multiple Entry	C-Visa not issued
2011	288,894	28,007
2012	368,481	29,383
2013	479,149	33,811
2014	523,690	33,266

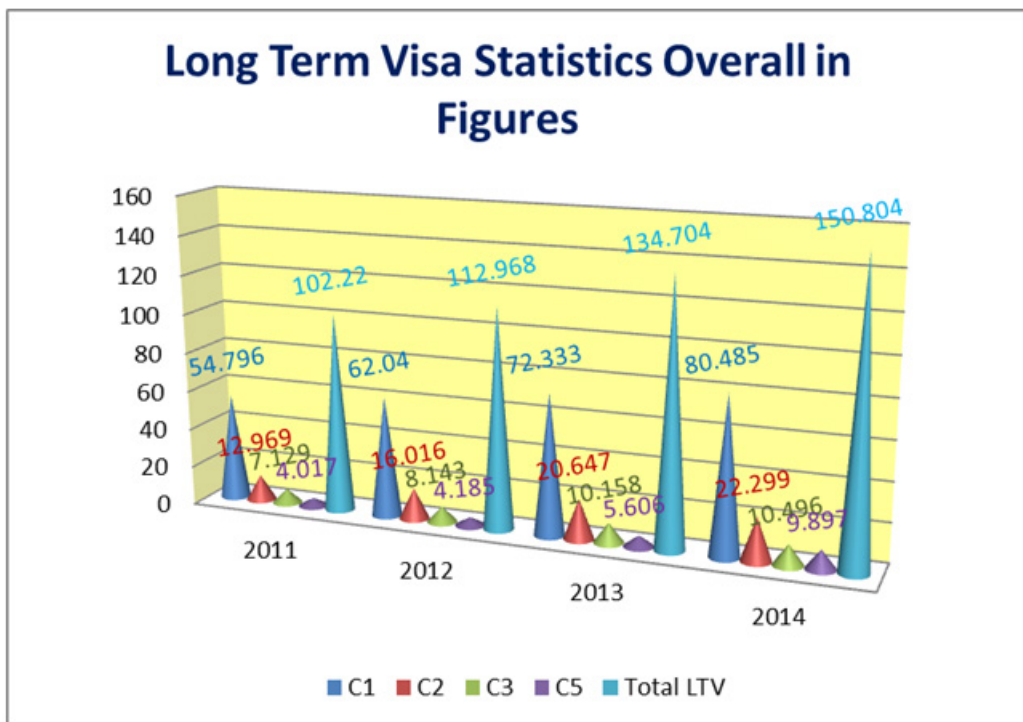
## Multiple entry vs. Visa not issued



	% Multiple entry	% refusal rate
2011	52.49%	4.90%
2012	60.02%	4.40%
2013	81.64%	4.40%
2014	69.73%	4.62%



\*The following visa statistics represent only 66% of the total visa registered in Turkey.





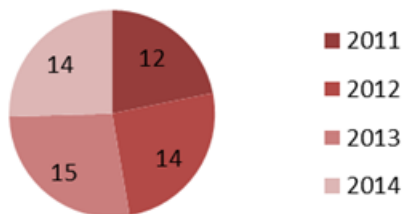
### C1 Visa Statistics Overall in Percent



### C3 Visa Statistics Overall in Percent



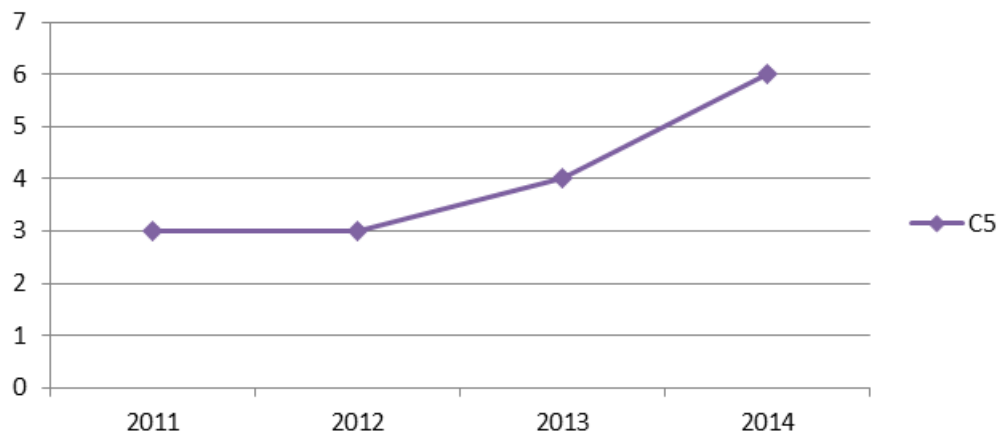
### C2 Visa Statistics Overall in Percent



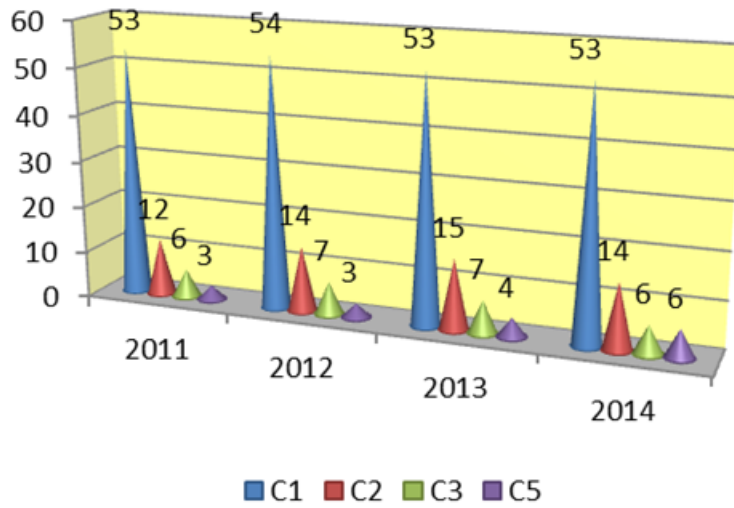
### C5 Visa Statistics Overall in Percent



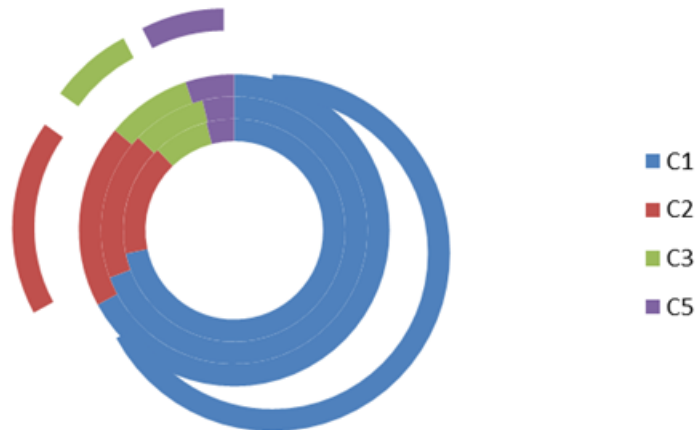
### C5 Visa Statistics Overall in Percent



## Long Term Visa Statistics Overall in Percent



## Long Term Visa Statistics Overall in Percent





EUROPEAN UNION

DELEGATION TO UKRAINE

18/05/2015

## LOCAL SCHENGEN COOPERATION (LSC) IN UKRAINE 2014-2015 REPORT<sup>1</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

**Visa Application Centres** are run by

- **VFS GLOBAL** for the following Schengen countries: Republic of Austria, Kingdom of Belgium, Czech Republic, Kingdom of Denmark, Republic of Finland, French Republic, Federal Republic of Germany, Hellenic Republic, Hungary, Republic of Lithuania, Kingdom of the Netherlands, Kingdom of Norway, Republic of Poland, Kingdom of Spain, Kingdom of Sweden, Swiss Confederation;
- **Visa Management Service** for Republic of Italy;
- **Pony Express** for Republic of Estonia and Republic of Latvia.
- **TLScontact** for the Swiss Confederation.

The EU Delegation is in charge of the coordination of LSC meetings.

### 2. LSC meetings held in 2014-15

- Number of meetings held: 10
- Meetings were well attended. Croatia and Romania join regularly the LSC meetings.
- Meetings chaired by the EU Delegation
- One visit to Combine Polygraph Ukraina<sup>2</sup>, organized jointly by the EU Delegation and the Ukrainian MFA

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<sup>1</sup> April 2014 – March 2015.

<sup>2</sup> Manufacturer of Ukrainian biometric passports, in use as from January 2015. All LSC MS have recognized the Ukrainian biometric passport (ordinary, diplomatic or service) as electronically enabled version of the existing Ukrainian passport.

- At some meetings participation of 3<sup>rd</sup> parties (e.g. Ukrainian MFA, Migration Service, Employment Service, UNHCR)
- LSC Members are invited regularly to attend the preparatory meetings of the VLAP assessment missions
- Reports drawn up by EU Delegation
- 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).

#### **3.2 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.

The 10<sup>th</sup> EU-Ukraine Joint Visa Facilitation Committee held on 23 April 2015 highlighted that the practice of implementing the list of supporting documents may vary among the individual LSC Members and further efforts are needed to establish a common *modus operandi*, in particular as regards the applications lodged by the trucks' drivers. At the same time, the number of complaints formulated by the Ukrainian citizens regarding the handling of their applications by the LSC consulates have dramatically decreased, which is a positive trend in the light of the implementation of the harmonized list.

#### **3.3. 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 travel medical insurance (TMI) and list of accredited travel agencies.

### **4. Challenges in 2015-2016**

One of the key challenges for 2015-2016 will remain the 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 and non-recognition of the documents issued by the Russian illegal authorities from Crimea and Sevastopol.

The illegal annexation of Crimea and Sevastopol by the Russian Federation in March 2014 and the military conflict in the Eastern Ukraine impacted the consular activity of the Schengen Member States and added extra burden on their daily work. LSC consular offices and visa application centres (VAC) located in Crimea and Sevastopol as well as in Donetsk and Lugansk districts were closed temporarily, and the relevant activity was reallocated with the available LSC consular network within Ukraine. (i.e. Poland closed the consulate in Sevastopol and the VAC in Simferopol, respectively the Consulate in Donetsk and the VACs in Donetsk and in Lugansk; Czech Republic

closed its Consulate in Donetsk; Denmark closed the VACs in Simferopol and in Donetsk). Despite existing security concerns, activity of the Greek Consulate General in Mariupol continues.

The LSC Member States apply strictly the policy of non-recognition of the foreign travel passports issued by the illegal Russian authorities from the Autonomous Republic of Crimea and the city of Sevastopol, and report on a regular basis about developments in this area in the context of the LSC monthly meetings.

Another challenge may arise from the increasing number of the internally displaced people in Ukraine (above 1.2 million according to UN sources in mid-May 2015) as a result of the conflict in Donbass. This may lead to a significant increase of applications and of the refusal rates as compared to the previous years.

## **5. Other issues**

The VIS rollout in the Eastern Partnership area, which is scheduled to go live on 23 June 2015, may trigger some negative perceptions, against the background of the high expectations regarding the visa free regime for the Ukrainian citizens. The EU Delegation coordinates a public awareness rising campaign jointly with the LSC members, aiming at alleviating the possible misapprehension by the larger Ukrainian public.

The next Report will aim, among others, to take stock of the challenges faced by the MS with regards to the VIS implementation.

*The present Report has been approved by all EU Member States and Schengen Associated States' diplomatic missions present in Ukraine.*

## **LOCAL SCHENGEN COOPERATION (LSC) – UNITED KINGDOM (LONDON) 2014-2015 REPORT**

### **1. Introduction**

As regards Member States and associated states' presence in the United Kingdom, the situation remains unchanged compared to the previous reporting period: All 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).

The total number of visa applications handled lodged in the United Kingdom in 2014 was 224,379 which is an increase of 6.6% compared to 2013 and of 21.5% compared to 2009.

### **2. LSC meetings held in 2014-2015**

Since the last reporting period three meetings have been held and meetings are generally very well attended.

### **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. One issue is frequently on the agenda: the interaction between Directive 2004/38/EC on the free movement of family members of EU citizens is often on the agenda.

#### **3.2 Exchange of information**

Thanks to the efforts of one Member State, the exchange of 'local' statistics has improved considerably but some Member States still omit to send their contribution timely. 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 continue to 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 Other initiative taken in LSC**

End 2014 a suggestion for revision of the Commission Implementing Decision establishing the harmonised list of supporting documents to be presented by visa applicants in the United Kingdom<sup>1</sup> was examined.

It was suggested that the requirement that applicants must present a UK residence permit valid 3 months beyond the intended date of departure from the Schengen area be no longer an absolute rule and that alternative means of proving will to return be listed.

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<sup>1</sup> C(2012)4726 final, of 11.7.2012.

Some Member States preferred not to revise the harmonised list at all and generally, the majority of the fourteen Member States were in favour of maintaining the '3 month' rule as the general rule although most apply it in a flexible manner in individual cases.

Another suggestion concerned the 'proof of confirmed return ticket to the United Kingdom or to the country of final destination'. Most of the Member States who had replied preferred to maintain the current formulation as this serves as a proof of itinerary.

Finally, it had been suggested to drop the requirement of applicants having to present proof of hotel reservation as proof of accommodation. Most Member States also preferred to maintain this even if such reservations are often cancelled when the application for a visa has been lodged. Some Member States noted that they verify that the reservation is maintained twice during the examination process. Member States were also of the view that this requirement serves as proof of travel plan and destination.

It was concluded that the harmonised list should not be revised at this stage but the group could revert to this matter after the assessment of the pilot project launched in China on the waiver of the requirement to present flight reservation and hotel bookings for persons travelling for the purpose of family visit, study/training and business.

The "interest group", LSC London created by DG HOME on CIRCABC intended as a repository for documents still does not have any subscribers.

#### **4. Challenges**

N/A

#### **5. Other issues**

N/A



EUROPEAN UNION  
DELEGATION TO THE UNITED STATES OF AMERICA

Washington, 2015

**LOCAL SCHENGEN COOPERATION (LSC) Washington D.C.  
2014-2015 REPORT<sup>1</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 2014-2015**

Three LSC meetings were held in Washington during the period considered, and have been well-attended 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" mentioned 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 provide solutions for approval by the whole LSC group. This has been the case for harmonising visa fees, supporting documents list, travel medical insurance requirements, issuance of visas to spouses and family members etc.

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<sup>1</sup> April 2014 – May 2015



### **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.

#### **3.2 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' 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 if they could add a link to EU information on their 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 discussed but nevertheless agreed that there is no need so far to think about a possible modification of the "supporting documents lists" and to wait for the new Visa Code to be negotiated/approved through the EU legislative procedure to clarify this.

#### **3.3. Exchange of information on the visa fee charged – no need for harmonisation**

The conclusion reached by the LSC Group in 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 has been considering since the beginning the need to have a common information sheet for visa applicants (as required by art. 48, 2 of the Visa Code). This work was halted when the COM services informed that they were starting the preparation of a common model. However, as this exercise has not progressed very far, the Group re-launched its work taking as a model the brochure elaborated by Riyadh LSC to be adapted to the circumstances in the US. As a result, the Group has approved a common brochure that will be distributed by all Embassies and Consulates in the USA.

### 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. It has been noted 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 again 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". However, some MS raised a concern about possible attempts for "visa shopping" with applicants providing false documentation ("fake hotel bookings") in part due to long waiting times for appointments for visas in neighbouring Schengen countries.

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. The Group agreed though on a model letter setting out Schengen requirements which applicants could provide to their insurance company for signature, 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 present practice.

Launching of VIS: biometrics data collection.- The Group has been exchanging information on capabilities and experiences in order to prepare the launch of the Visa Information System (VIS) (go-live date of 15 May 2014 for Region 13). In discussion it was noted that some MS do not require a Schengen visa for officials travelling on International Organisations' laissez passer or diplomatic passports and the consequences for biometrics requirements. EUDEL exchanged Verbal Notes –shared with MS– with State Department about the new VIS. Once launched the VIS, the group has been regularly exchanging information on the application of the new system and the situation of some MS regarding the outsourcing of services. No particular problems have been reported.

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.

Questions of general interest: EUDEL shares regularly with MS information provided by Headquarters (Visa Committee reports; modifications to Visa Code; Visa Waiver Program issues, including ESTA modifications; reciprocity mechanism Regulation; compilation of LSC reports and world statistics, etc.).

Revision of the Visa Code.- The group has been following closely these negotiations. EUDEL has been regularly updating on the adoption of the Commission proposal 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 MS agreed on the usefulness of the new instrument.

Mobile passport stations.- Information on this subject has been exchanged (13 MS have used these kind of stations).

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

LSC Washington envisages (further) work on the following issues:

- Full implementation 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.

*This report has been approved by all MS present.*



20/04/20145

## LOCAL SCHENGEN COOPERATION (LSC) Uzbekistan 2014-2015 REPORT<sup>1</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 visa processing at this point, although the Czech Republic started to explore this possibility. All Schengen embassies have been using VIS since its introduction in Uzbekistan on 14/11/2013 but continue to experience technical problems with quality of prints, sharing of information and the introduction of new Uzbek travel documents (see section 4. Challenges). There have been no changes in representation arrangements in comparison to last year (see Annex 1), although from 1 July, Switzerland will close its consulate and the visa will be issued by Latvia instead. There are no Schengen visa consulates outside of the capital Tashkent.

*This report has been agreed with LSC members.*

### 2. LSC meetings held in 2014-2015

LSC group continued to hold *bi-monthly coordination meetings* and met 5 times during the reporting period (10 April 2014, 2 July 2014, 12 September 2014, 21 January 2015, 14 April 2015). 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. They also meet during the regular meetings of the Consul Club which brings together all embassy Consuls in Tashkent.

The coordination meetings in 2014 were focused on finalization of a harmonized list of visa supporting documents, implementation of the VISA code and challenges faced by individual embassies.

### 3. State of play

#### 3.1 Application of the Visa Code

The visa code implementation is well under way in Uzbekistan. The LSC members have finalized the harmonized list of visa supporting documents in 2014 adopted via Commission implementing decision on 4/9/2014. The list has been translated into local languages and posted on the websites of all LSC embassies. EU DEL has also issued a press release about the adoption of the list and informed the government via note verbal.

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<sup>1</sup> April 2014 – April 2015

The LSC continued to collect regular visa statistics. The LSC 8 embassies issued 18,843 Visa C in 2014 with the overall refusal rate of 6.44 per cent. This is roughly the same number of applications and refusal rate as in 2013.

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 LSC members finalized the harmonized list of visa supporting documents in 2014 adopted via Commission implementing decision on 4/9/2014.

### 3.3 Exchange of information

There is a good exchange of information among member states related primarily to visa shopping/abuse of issued visa as well as about introduction of new practices for issue of visa (e.g. use of electronic lines or external service providers). EU Delegation collects and shares visa statistics (bi-annually) 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 LSC has agreed to organize an information session for Uzbek travel agencies in the second quarter of 2015 (ahead of the tourist season) as to highlight Schengen visa requirements. LSC also discussed the possibility of stronger coordination on consular protection issues. EU DEL started collecting quarterly information about consular protection provided by EU embassies in Tashkent to EU nationals not represented in Uzbekistan via their own embassies.

## 4. Challenges

The **biggest challenge in 2014** was the roll out of VIS system and the introduction of new Uzbek travel documents (EIU common list needs to be updated). Some visa supporting documents continue to pose a challenge – e.g. applicants are not always able to demonstrate sufficient credit card or bank account history (currently 3 months required). Embassies in these cases decide on case by case basis whether or not to issue visa.

Introduction of VIS has been a positive step – it provides reasonable amount of information about applicants and their history with other Schengen embassies. As time passes, the amount of available information about applicants will be further expanded and the value of the system will further increase. The embassies, however, continue to 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). The embassies also continue to have *problems with sharing of VIS files* as data about country of origin 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. LSC will discuss how to address this issue.

## 5. Other issues

Nothing to report.

### Annex 1: Visa and consular representation arrangements in Tashkent, Uzbekistan

Embassy of	Visa representation:	Consular representation:
Czech Republic	No other MS	Slovenia, Croatia
France	Netherlands, Belgium, Luxembourg, Portugal	Netherlands, Luxembourg, Belgium, EU DEL
Germany	Sweden, Spain, Finland, Austria	Austria, Denmark, Malta
Italy	Greece, Malta, Slovenia	Spain, Portugal, Greece, Cyprus
Latvia	Estonia, Lithuania, Hungary; Switzerland as of 1/7/2015	Estonia, Lithuania
Poland	No other MS	No other MS
Slovakia	No other MS	Hungary
Switzerland		

UK – consular representation: Ireland, Sweden, Finland



Caracas, 20 April 2015

**LOCAL SCHENGEN COOPERATION (LSC)  
CARACAS, VENEZUELA  
2014-2015 REPORT<sup>1</sup>**

**1. Introduction**

The following nine Member States (MS) represented in Caracas issue Schengen visas: Austria (issues 'C' visas for Latvia, Malta, Slovenia and Switzerland), France, Germany, Greece, Italy, the Netherlands (issues 'C' visas for Belgium), Poland, Portugal and Spain.

It is important to note that Italy and Portugal have consulates-general in Maracaibo and Valencia respectively.

It should also be noted that Venezuelan citizens do not need a visa to enter the Schengen area. The decision to lift the visa requirement for Columbian and Peruvian citizens will soon come into effect. This will have a major impact on Member States' consulates in Venezuela given the significant number of 'C' visas issued to Venezuelan residents from those countries.

A number of Member States' consuls in Caracas have jurisdiction in other Caribbean countries. Poland recently signed an agreement with the Netherlands regarding the issuing of visas in Trinidad and Tobago, and is waiting to sign an agreement with Germany regarding the issuing of visas in Jamaica. Less frequent flights and fewer seats, along with high ticket prices, have made air travel to Venezuela difficult. These are major reasons why Member States are keen to reach agreements with other Member States so that those States will represent them in certain countries which come with their jurisdiction.

A number of MS, including Austria and Italy, are awaiting the lifting of the visa requirement for residents of the Caribbean Islands (Trinidad and Tobago and St Vincent and the Grenadines), as it is difficult for them to find another country to represent them there.

**2. LSC meetings held in 2014-2015**

Between April 2014 and March 2015, four LSC coordination meetings were held. Attendance at these meetings was high. The most relevant specific issues were discussed at the meetings, such as the harmonisation of the supporting documents needed to apply for a Schengen visa. Some MS never attend these meetings, as they have very few staff in their consulates.

During this period, the MS finalised the harmonised list of supporting documents needed to apply for a Schengen visa; this was sent to DG HOME and presented at the COCON meeting held in March 2015.

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<sup>1</sup> April 2014-March 2015

LSC meetings are held four times a year and are chaired by the EU Delegation. The EU Delegation drafts the minutes and distributes them following agreement by those present at the meeting. The majority of Member States enclose these minutes with the reports they send to their capitals and/or translate them into their respective languages.

The Delegation invites consuls-general from outside the capital, but they do not attend the meetings due to the difficulty of travelling to Caracas. These consulates receive all LSC-related correspondence.

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

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

The EU Delegation sets the agenda for the LSC based on the topics of general interest to the consulates. MS are invited to suggest additional points that are of interest to them. The EU Delegation also passes on relevant information that it receives from DG HOME.

During the meetings, information is exchanged on the practices of other Member States in relation to specific points of the Visa Code and on any specific problems that may have arisen. There is much discussion on the 'waves' of certain nationalities applying for visas at one or a number of specific consulates.

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

- Comments were received from the COCON and these are being analysed in order to prepare a response so that the harmonised list can be approved.

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

- the EU Delegation gathers statistics from the MS; however, only a few MS exchange statistics with each other. The MS have their own systems for presenting statistics; adapting the statistics to the EU format means extra work for them;
- information on fraud cases is shared, but apart from 'massaging of accounts', there are very few instances of fraud;
- during this period, no problems occurred in relation to travel medical insurance (TMI);
- information is exchanged on specific cases to highlight any unusual procedures with a view to making other consulates aware of said practices; however, under no circumstances are names given or lists of persons drawn up.

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

With a view to improving the image of the European Union in Venezuela, the consulates suggested that European Union information leaflets could be provided for consulate visitors. The EU Delegation has sent some available leaflets, but, unfortunately, many leaflets of interest to travellers or European nationals residing in Venezuela need to be ordered and paid for, and, regrettably, there is no budget available to cover this expenditure.

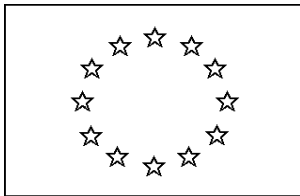


#### 4. Challenges

The 2013-2014 report mentioned the need to press ahead with the conclusion of representation agreements with other MS in places where those MS are better represented. In this regard, slight progress is discernible. Nevertheless, efforts must continue to ensure that said representation agreements are signed as soon as possible.

For the 2015-2016 period, the challenge will be to implement the harmonised list of supporting documents needed to apply for a Schengen visa once the list has been approved.

Lastly, the consuls are awaiting the decision to lift the visa requirement for Columbian and Peruvian citizens, as well as for residents of the Caribbean Islands (Trinidad and Tobago, St Vincent and the Grenadines, etc.).



**EUROPEAN UNION**

**Office of the European Union Representative**  
(West Bank and Gaza Strip, UNRWA)

## **LOCAL SCHENGEN COOPERATION (LSC) JERUSALEM 2014-2015 REPORT<sup>1</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 Dahiat Al-Bareed: (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, LV and LT in the West Bank including East Jerusalem. SE represents CH and NL 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 since 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) have opened a common application centre/Schengen office in Gaza. Moreover, some member states have contracted an external company to outsource the collection of visa applications for the West Bank (ES, BE, IT, GR and SE) and for Gaza (ES, IT). Some MS currently with offices in Gaza are able to collect biometrics and or receive visa applications there (NO, AT, DE and FR). For more information see point 3.4 below.

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<sup>1</sup> April 2014 – March 2015

## **2. LSC meetings held in 2014-2015**

All LSC meetings in the jurisdiction are held in the office of the EU Delegation in Jerusalem irrespective of the location of each MS visa office.

Five LSC meetings were held between April 2014 and March 2015.

Compared to the meetings 2013 – 2014 the attendance slightly increased with an average of 14 MS present at each meeting.

Since the departure of the SE coordinator who co-chaired the LSC meeting in September 2013, the EU Delegation continues to be 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. No MS wishes to take over the role of the coordinator.

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.

Minor issues remain as described in the point 3.4 below.

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

The Commission Implementing Decision on Harmonized List of Supporting Documents was adopted on 16/03/2015. A translation of the document in Arabic of the harmonized list is available.

The local date of implementation, agreed between MS, was 01/04/2015.

MS were reminded of the legally binding nature of the decision as well as its implementation date. The Visa Committee also sent a pre-warning to MS central authorities to this effect.

Some MSs expressed some serious concerns regarding the proposal of the Visa Committee to name the COM Decision "Palestine" with the following footnote: "This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue."

They suggested reverting to the initial proposition to name the decision "Jerusalem, West Bank and Gaza". In fact, leaving just "Palestine" in the name of the Decision can create potential problems for the local implementation of the decision as well as a potential diplomatic incident for considering "Jerusalem" included in "Palestine".

Finally, although the Commission Implementing Decision makes reference to "Palestine", it was agreed that the approved harmonized list of supporting document will be implemented by MSs in

all areas covered within their respective jurisdictions and, in particular, in line with their own policies as regards Jerusalem in coordination with respective capitals.

The harmonized list of supporting documents was also sent to the contact point of LSC Tel Aviv for coordination.

No need so far to amend the existing list.

### **3.3 Exchange of information**

*Describe the exchange of information within the LSC:*

- *statistics;*
- *cases of fraud;*
- *travel medical insurance (TMI) (i.e. insurance companies offering adequate TMI; do the insurances offered correspond to the requirements of the Visa Code?);*
- *other issues.*

#### 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 was shared between LSC Member States and regularly updated.

#### Travel Medical Insurance

The TMI working group (SE, BE, CH) has identified to-date six companies active in the West Bank and Gaza that provide TMI which fulfils the criteria set out in the Visa Code. One other insurance company submitted several requests in order to be added to the list of the recognized insurance companies but the TMI working group currently considers that its policy is still not in conformity with the requirements of the Visa Code (EC Regulation 810/2009, article 15). Further clarifications have been requested.

The information on the approved TMI's was 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.

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

Since the roll-out of the new Visa Information System (VIS) on 14 November 2013 all applicants need to appear in person for the collection of biometry (photo and fingerprints).

*- Gaza Office*

BE, DK and SE had previously taken the initiative to create a Common Application Centre (CAC)/Schengen office in Gaza. This European project led by Belgium and implemented with the support of the External Border Fund has been renewed for a 2nd phase until June 30th, 2015. 75% of the costs continue to be borne until then by the EU and the remaining 25% is shared equally by the partners (BE, DK and SE). The expenses remained under the budget limit of this EU project.

In 2013 other MS expressed some interest in joining the CAC/Schengen office but none of them joined the CAC (an outsourcing office started in Gaza in the meanwhile and represents a no-cost

solution for MS which also do not need to send their own staff regularly on a mission to Gaza for the collection of the biometrics).

- *Outsourcing of visa in accordance with Visa Code Art.43 and Annex X.*

Some member states (ES, BE, IT, GR and SE) outsourced the collection of visa application for the West Bank and/or for Gaza (ES, IT). Some other MS are interested in the outsourcing and/or preparing it (for example FR in the West Bank).

#### **4. Challenges**

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 challenge will now be to continue ensuring full compliance with the obligation imposed by the Visa Code related to collection of biometric data, particularly in Gaza.

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.

The difficulties for MS to travel to Gaza for the collection of biometrics include

- lack of a portable biometry kit
- lack of necessary resources (staff, armoured cars...)
- long and difficult procedures to obtain permits to travel to Gaza
- the local security situation,
- the small number of applications for certain MS

These factors made them opt for the outsourcing as soon as the company providing such services in Ramallah opened offices in Gaza.

#### **5. Other issues**

No other issues are reported from LSC Jerusalem.