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Subject: Summary of replies to the questionnaire concerning practices for the issue of uniform short-term visas

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 12 November 2002

14153/02

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VISA	168
COMIX	638

NOTE

from: General Secretariat

to: Visa Working Party

no. prev. doc.: 12698/02 VISA 138 COMIX 560
13744/02 VISA 161 COMIX 626 + ADD 1

Subject: Summary of replies to the questionnaire concerning practices for the issue of uniform short-term visas

Delegations will find attached the summary of replies received from Belgium, Denmark, Germany, Greece, France, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden, Iceland and Norway to the above-mentioned questionnaire.

General questions concerning practices

(1)(a-h) Factors taken into account in the assessment of the immigration risk in relation to a specific visa application

The main factors are: the economic situation in the country of origin, on-going hostilities, political or social unrest, possibility of forced return, known information on abuse
Most Schengen States¹ take nationality (except for **D**) and family relations (spouse and/or children) into consideration when assessing a visa application. Less frequent factors in the assessment are permanent job situation, educational background, possession of real property in the country of origin. For certain nationalities the question of age is also taken into account when the immigration risk is assessed.

The main "other factors" (1. h) are the ties in the visa issuing country, relationship to the sponsor, invitations by international organisations, previous illegal stays or asylum applications in the Schengen territory (in **DK** a visa is generally refused if the applicant has previously applied for an been refused a residence permit in the country).

(2) Requirement of proof of business or work background

Practically all Schengen States require proof of business in the form of bank statements, annual accounts, contract of employment or confirmation of employment. Examples of "other proof" are: educational background, language knowledge, extract of company register (for self-employed), health care booklet, written invitation from business partners, tax returns.

¹ The term "**Schengen States**" refers to states applying in full the provisions of the Schengen acquis.

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3) Requirements concerning previous connection between the applicant and the sponsor

Only **I** and **N** require written information on previous connections between the sponsor and the applicant.

(4) Requirement of a written invitation

However, Schengen States generally require a written invitation for the issue of visa for a private visit, and if applicable a sponsorship statement. **DK** exempt bona fide applicants from this requirement.

(5) Confirmation by the sponsor before a visa can be issued

States, that require a written invitation from the sponsor, generally also require the sponsor to confirm that the visit is to take place and to explain the circumstances in relation to the contact (except **NL**). **F, A, FIN** do not require this systematically but the consular representations reserve the right to contact the sponsor/host directly in case of doubt.

(6) Financial guarantee to be provided by sponsor

Most States require the sponsor to provide financial guarantee in cases where the applicant is unable to provide evidence of sufficient funds himself, and if the sponsor has assumed responsibility for the subsistence of the applicant. As an alternative, **D** accepts a travel insurance from specific insurance companies. **B** requires sponsors who are not of Belgian nationality to prove their regular and permanent residence in Belgium.

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(7) Requirement of a medical insurance or other insurance

P, DK, N, S, NL, B do not require any health insurance, however, **S** and **NL** recommend it, and **B** requires a medical insurance if the applicant's reason for travelling is to receive medical treatment in Belgium.

Generally **D, EL, F, I** require applicants to have an adequate medical insurance (**I** exempts students from this requirement), and **A** only requires it if the applicant or the sponsor is unable financially to cover the risk of medical treatment.

FIN requires a travel insurance from all applicants.

No Schengen State requires applicants of a particular nationality to have insurances.

8) Cooperation with travel agencies

B, P, LUX, I, N and **EL** do not have any formal cooperation arrangements with travel agencies, tour organisers etc. and require applicants to appear for a personal interview. However, derogation can be made in the case of bona fide applicants and if cooperation is agreed upon within the framework of local consular cooperation.

D and **FIN** do not take decisions on this type of cooperation centrally, but leave it to consular representations in consultation with other "Schengen" representations *in situ* to decide upon the appropriateness of cooperation.

Schengen States mainly collaborate with travel agencies in the following places:

F: Russia, Taiwan, China mainland, Hong Kong and OECD countries

DK: St. Petersburg, Moscow

I: St. Petersburg, Moscow, Kiev

NL: Istanbul, Jakarta

A: Central and East European countries

S: St. Petersburg, Moscow, Kiev, Ottawa, Beijing, Canton, Hong Kong

N: St. Petersburg, Moscow, Murmansk, Pretoria

B: in principle only in USA, Canada, Australia, Japan. However, exceptions are made in India and South Africa.

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(9) Requirements to travel agencies and tour organisers for accreditation etc.

Generally, requirements are established within the framework of local consular cooperation and with due regard to the provisions of Council Decision (EC) 585/2002.

Otherwise, the documentation required is i.a copy of official authorisation to operate as travel agency, cooperation agreement with travel agencies in visa issuing country, evidence of legal status.

(10) Requirement of a personal interview of applicant whose application has been submitted by a travel agency

The general rule is, that in case of doubt, applicants can be required to appear in person at the consular representation.

(11) Requirement at certain destinations of visa applications for the purpose of tourism being submitted through a tour organiser, travel agency or the like rather

No Schengen State applies this procedure.

(12) Fees (cf. table page 13)

Prepaid fees for short-term visas (for stays up to 30 days) (current practice)

DK: 23 EUR

D, B, LUX, FIN, A: 25 EUR

NL: 10-25 (cf. Annex 12 of the CCI)

N: 15-25 (cf. Annex 12 of the CCI)

S: 225 SEK

I: 10-25 EUR (paid only when visa is issued)

F: 20-25 EUR (paid only when visa is issued)

EL: 15-25 EUR (paid only when visa is issued)

(13) Refund of fees in the case of refusal

DK, NL, S, N, B and **LUX** do not refund any prepaid fees.

D: Half of the is fee refunded (current practice)

F, EL, I, A: see above

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(14) Other payment

Verification of documents:

Generally no fees: **DK, D, I, FIN, S, LUX**

Fee required: **F, EL** (specific cases)

Translation of documents:

Generally no fees: **D, EL, I, P, S, B, LUX**

Fee required: **F, DK** (450 DKR p/page and 160 DKR p/signature)

Legalisation of documents:

No fees: FIN, I, S, LUX

Fee required: **D** (20 EUR), **B** (10 EUR/document), **DK** (160 DKR), **P, EL** (some cases),
NL

Other fees:

Handing in of application to a diplomatic representation that does not issue visas: **DK** (125 DKR), **D** (expenses incurred for additional service)

(15) Other payments charged

Generally no Schengen State charges any other payment, a part from:

P that charge 5,49 EUR (purpose not indicated),

NL that charges the real cost of any additional service,

A that charges a fee for any consular work subject to a fee under Austrian law, and

(16) Other payment charged in certain countries

No Member State charges any payment in particular countries.

(17) Fee for lodging a complaint of a refusal

Of the Member States who allow refused applicants to lodge a complaint, only **DK** charges a fee of 100 DKR. In the case, where a person refused a visa by the **Belgian** authorities, bring formal proceedings before the *Conseil d'Etat* (administrative appeal). This appeal would involve a fee of 175 EUR.

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Statistics¹

Iraq	Visa applications received in 2001	Visas issued in 2001	Percentage of visas issued in 2001
Schengen States			
Belgium			no figures available
Germany			61,90% ²
Greece			no visas issued
Spain			
France			79%
Italy			100%
Luxembourg			92,30%
the Netherlands			no Netherlands representation
Portugal			no Portuguese representation
Finland			no Finnish representation
Sweden	350	35 ³	23%
Norway (2002)			22%

¹ Austria : such statistics are not compiled in Austria.

Iceland : cf. introductory remarks doc. 13744/02 VISA 161 COMIX 626.

² In the absence of any visa office in Iraq, the only figures available are those for the embassy in Amman, which include applicants from both Iraq and Jordan. Some 30% of all applicants in Amman are estimated to be from Iraq. For people from Iraq, the ratio of visas issued to applications is only a fraction of the figure shown in the statistics.

³ Iraqis resident in Europe and the rest of the world only.

Federal Republic of Yugoslavia	Visa applications received in 2001	Visas issued in 2001	Percentage of visas issued in 2001
Schengen States			
Belgium			93%
Denmark	2 700	1 825	67,59%
Germany			82,30% ¹
Greece			98%
Spain			
France			41%
Italy			90,85%
Luxembourg			81,50%
the Netherlands			95%
Portugal (1.1- 30.6.02)			94%
Finland	1 049	1 022	97% ²
Sweden	5 600	3 900 ³	70%
Norway (2002)			74%

¹ The percentage does not include applicants from Kosovo, who usually submit their visa applications in Skopje.

² Total number of applications submitted in Zagreb and Belgrade.

³ The proportion of people from Kosovo issued visas is small. Most visas issued are to people from Serbia.

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Turkey	Visa applications received in 2001	Visas issued in 2001	Percentage of visas issued in 2001
Schengen States			
Belgium			94%
Denmark	7 429	no data	no data
Germany			73,60%
Greece			94%
Spain			
France			86%
Italy			95,49%
Luxembourg			95,60%
the Netherlands			77%
Portugal (1.1- 30.6.02)			95%
Finland	1 749	1 555	89,90% ¹
Sweden	2 800	1 800	64%
Norway (2002)			38%

¹ Total number of applications submitted in Ankara.

Russia	Visa applications received in 2001	Visas issued in 2001	Percentage of visas issued in 2001
Schengen States			
Belgium			94%
Denmark	17 681	17 492	98,93%
Germany			92,40%
Greece			98%
Spain			
France			95%
Italy			98,29%
Luxembourg			93,50%
the Netherlands			96%
Portugal (1.1- 30.6.02)			96%
Finland	347 594	340 500	97,96% ¹
Sweden	55 000	51 700	94%
Norway (2002)			89%

¹ Total number of applications submitted in Moscow, St. Petersburg, Murmansk and Petrozavodsk.

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Democratic Republic of Congo	Visa applications received in 2001	Visas issued in 2001	Percentage of visas issued in 2001
Schengen States			
Belgium			84%
Germany			53%
Greece			62%
Spain			
France			46%
Italy			81,24%
Luxembourg			51,60%
the Netherlands			82%
Portugal (1.1-30.6.02)			90%
Finland			no Finnish representation
Sweden			no figures available
Norway			no Norwegian representation

Nigeria	Visa applications received in 2001	Visas issued in 2001	Percentage of visas issued in 2001
Schengen States			
Belgium			76%
Germany			81,40%
Greece			78%
Spain			
France			74%
Italy			91,61%
Luxembourg			66,20%
the Netherlands			70%
Portugal (1.1-30.6.02)			53%
Finland	55	46	83,60% ¹
Sweden	1 300	690	53%
Norway (2002)			30%

¹ Total number of applications submitted in Lagos.

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Algeria	Visa applications received in 2001	Visas issued in 2001	Percentage of visas issued in 2001
Schengen States			
Belgium			no figures available
Denmark	404	252	62,38%
Germany			63,60%
Greece			48%
Spain			
France			42%
Italy			29,99%
Luxembourg			74,80%
the Netherlands			76%
Portugal (1.1- 30.6.02)			65%
Finland			no Finnish representation
Sweden	730	370	51%
Norway (2002)			43%

China	Visa applications received in 2001	Visas issued in 2001	Percentage of visas issued in 2001
Member States			
Belgium			95%
Denmark	10 957	10 228	93,35%
Germany			87,30%
Greece			89%
Spain			
France			91%
Italy			82,14%
Luxembourg			74%
the Netherlands			94%
Portugal (1.1- 30.6.02)			82%
Finland	13 030	12 806	98% ¹
Sweden	7 800	6 700	86%
Norway (2002)			89%

¹ Total number of applications submitted in Peking and Shanghai.

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Iran	Visa applications received in 2001	Visas issued in 2001	Percentage of visas issued in 2001
Schengen States			
Belgium			75%
Denmark	2 368	1 750	73,90%
Germany			75,10%
Greece			83%
Spain			
France			84%
Italy			82,56%
Luxembourg			93,40%
the Netherlands			93%
Portugal (1.1-30.6.02)			92%
Finland	369	355	96% ¹
Sweden	9 000	5 200	58%
Norway (2002)			81%

¹ Total number of applications submitted in Tehran.

Sri Lanka	Visa applications received in 2001	Visas issued in 2001	Percentage of visas issued in 2001
Schengen States			
Belgium			no Belgian representation
Germany			87,30%
Greece			no paid Greek authority
Spain			
France			73%
Italy			77,52%
Luxembourg			96%
the Netherlands			85%
Portugal			no Portuguese representation
Finland			no Finnish representation
Sweden	220	180	82%
Norway (2002)			43%

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Application of Council Decision 2002/44/EC of 20.12.2001 (OJ L 20 of 23.1.2002)

State of play (17.10.2002)

SPAIN	Adaptation of national legislation is being undertaken at the moment
BELGIUM	Application from the date of the adoption
FRANCE	(Expected) application from 1.1.2003
PORTUGAL	Changes in national law have been approved. Application as soon as legislation has been published.
AUSTRIA	Application from 1.7.2003
LUXEMBOURG	(Expected) application from 1.1.2003
NETHERLANDS	Application from the date of the adoption
ITALY	Not applied yet
GREECE	Application from 1.1.2003 provided that work on changes national legislation has finished.
DENMARK	Application from 27.5.2002
GERMANY	(Expected) application from 1.1.2003
SWEDEN	Application from 20.12.2001
FINLAND	Application from 20.12.2001
NORWAY	Application expected early 2004