

Changes in Schengen visa application process

As part of the worldwide introduction of the Visa Information System (VIS)¹, the Schengen States will launch the VIS in Georgia (and in other Eastern Partnership countries) on 23 June 2015. Since October 2011, the VIS has been functioning in sixteen (out of 23) world regions². All Schengen consulates worldwide will be connected to VIS by the end of November 2015.

The purpose of this global VIS introduction process is to better protect applicants against identity theft and to prevent document fraud and so-called visa shopping. Fingerprints are widely used within the EU as a more secure means of identification. The use of biometric data for identification purposes of a visa holder is a faster and more accurate way to identify a visa holder by border police.

As from 23 June 2015, Georgian citizens requesting a Schengen visa will have to appear in person in order to provide **biometric data** (fingerprints and digital photography). This concerns the applications for the short-term Schengen visas (max. 90 days in 180 days). For subsequent applications within **5 years** the fingerprints will be copied from previous application file of the VIS. The fingerprints will be provided for another period of 5 years for any subsequent Schengen visa application (e.g., for the long-term multiple entry visa)³.

In practise there will be no change in current procedures such as visa fee or forms. However, the applicants should be aware that due to provisions of biometric data, which will cause at the beginning some disruptions, the first visit to their respective Schengen State Consulate after 23 June 2015 might take a little bit longer.

Exemptions from the obligation of fingerprinting are provided for:

- children under the age of 12;
- persons from whom the collection of fingerprints is physically impossible;
- Heads of State and members of the national Governments (with their official delegations and spouses) if they travel for official purposes.

Please find below some frequently asked questions regarding VIS procedure.

Q: Are Schengen visas issued before 23 June 2015 valid?

A: **Yes**, they remain valid.

Q: If I already have a biometric passport, do I also need to submit my fingerprints?

A: **Yes**, the owners of biometric passports also have to show up in person when applying for a short-stay Schengen visa after 23 June.

¹ The Visa Information System (VIS) is a system for the exchange of data on short-stay visas between Schengen States. The main objectives of the VIS are to facilitate visa application procedures and checks at external border as well as to enhance security.

² It has been already introduced in Africa, the Middle East, the Americas, Australasia, South-East Asia, Central Asia, Western Balkans and Turkey.

³ However in some cases, such as reasonable doubts regarding the identity of the applicant, the consulates will still have to collect fingerprints within this period of time.

There are two different systems storing biometric data that are not linked to each other. The biometric passports with fingerprints are issued by Georgian authorities. The VIS is issued by Schengen states' authorities, which have no access to the data stored in the chip of the Georgian biometric passport.

Q: Will the VIS procedure leads to an increase of visa fees?

A: **No**, the visa fees remain as they are.

Q: Does this new requirement represent a new barrier for Georgian applicants? Isn't it aimed against the Georgian citizens?

A: **No**, the new measures are aimed to make the whole process safer. The fingerprints will be taken only the first time and then they would be used during the 5 years period for any subsequent Schengen visa application.

The same requirements will be soon applied all over the world. Georgian applicants are treated equally like any other nationals.

Q: Does this change mean that visa-free regime for Georgia is postponed?

A: **No**, visa-free regime and VIS procedures are two unrelated processes. The introduction of biometrics is a worldwide process, while liberalisation of visa regime is a bilateral process between the EU and Georgia.

The latter is a merit-based process, which will provide Georgian citizens with visa-free travel once all the requirements of the Visa Liberalisation Action Plan are met.

Q: What will happen to those people who refuse to provide fingerprints for various reasons?

A: **Unfortunately**, a person will not be issued a Schengen visa if he/she fails to provide biometric data. There are, however, several categories of citizens, who do not have to provide this data:

- children under the age of 12;
- persons from whom the collection of fingerprints is physically impossible;
- Heads of State and members of the national Governments (with their official delegations and spouses) if they travel for official purposes.

Q: Is there any additional advice for an applicant requesting a Schengen visa ahead of the launch of the VIS?

A: Travellers planning to apply in June should be aware that few days before 23 June 2015 some of the Schengen States' consulates issuing visas might be closed and/or limit the collection of documents due to the installation works linked to the new system.

If you plan to travel at the end of June/early July, please consider submitting your documents a few weeks in advance.

Consulates and visa application centres will need to train their own staff, adjust and master new working procedures for which they might need extra time.

Q: What would be the role of the visa application centres?

A: The role will remain unchanged, e.g., they will assist consulates of Schengen States, which are working together in the preparatory stage of the application process.

These centres will be equipped with electronic devices for collecting biometric data that will be directly sent to the consulate of the respective Schengen country and then stored in the VIS database.

Q: Would it be still possible to apply for Schengen visa via certified travel agencies?

A: For the first time after 23 June 2015 all applicants have to show up **in person** at the consulate or visa application centres in order to provide their biometric data. The consequent visa application within period of 5 years could be done through travel agencies.

Visa applicant's biometric data cannot be collected by commercial intermediaries such as travel agencies.

Q: How is my biometric data protected in the VIS?

A: Strict data protection rules are defined in the VIS-related rules and are subject to control of national and European data protection authorities.

Data is kept in the VIS for maximum 5 years starting from the expiry date of the visa, if a visa has been issued; or on the new expiry date of the visa, if a visa has been extended; or on the date the negative decision is taken by the visa authorities.

Any person has the right to obtain communication of the data recorded in the VIS related to him/her from the Schengen State which entered the data into the system. Any person may also request that inaccurate data related to him/her be corrected and that data unlawfully recorded be deleted.

In each Schengen State, national supervisory authorities monitor independently the processing of the personal data registered in the VIS by Schengen State in question.

The European Data Protection Supervisor monitors the data processing activities by the VIS Management authority.

Q: Who will have an access to the VIS?

A: Schengen States' authorities responsible for the issuance of visas, border and immigration checks and asylum procedures have a direct access to the data stored in VIS.

As a rule, VIS data cannot be transferred or made available to third countries or international organizations.

Since 1 September 2013, Schengen States' law enforcement authorities may request access to the data stored in VIS under very strict legal conditions and only for purpose of prevention, detection, or investigation of terrorist and other serious criminal offenses. EUROPOL will also have access to VIS for the same purposes.

Q: Where can I get more information on the VIS?

A: Visit the following link - <http://ec.europa.eu/vis>