



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 15.10.2009
SEC(2009) 1401 final

COMMISSION STAFF WORKING DOCUMENT

**Evaluation of the implementation of the European Community's visa facilitation
agreements with third countries**

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1. INTRODUCTION

The common visa policy is a vital tool in preventing irregular migration towards the European Union and potential threats to its security. Yet, the process of obtaining a Schengen visa – many visitors' first contact with the European Union – is often perceived as cumbersome, lengthy and expensive. Visa Facilitation Agreements (VFAs) aim to reconcile visa policy and external relations objectives by facilitating the issuance of short-stay visas; in particular, VFAs make it easier, quicker and cheaper to obtain visas. VFAs thereby seek to promote people-to-people contacts between the European Union and specific third countries with the wider aim of developing economic, humanitarian, cultural, scientific and other ties.

VFAs are relatively recent instruments in both the common visa policy and the EU's external relations, the first VFA with Russia¹ entering into force in June 2007 and a further seven VFAs – with Albania², Bosnia and Herzegovina³, the former Yugoslav Republic of Macedonia⁴, the Republic of Moldova⁵, Montenegro⁶, Serbia⁷ and Ukraine⁸ – entering into force in January 2008. Just over two years after the entry into force of the first VFA and 18 months after the entry into force of a further seven VFAs, the time is ripe for a first evaluation of their implementation. Moreover, the Council asked the Commission to prepare the present evaluation of the implementation of the existing VFA, before considering the adoption of further negotiating directives on VFAs with other third countries.

After recalling the background to the European Community's negotiations on VFAs and presenting the current state of play as well as a general overview of the VFAs' content, the present document proceeds to evaluate the implementation of the VFAs, first in overall terms and then in relation to each of their major provisions, highlighting shortcomings in their implementation, where applicable.⁹ The evaluation also presents and analyses relevant visa statistics. In its conclusion, the document identifies a number of issues to be addressed in a modification of the existing VFAs and taken into account in negotiations on future VFAs.

¹ OJ L 129/27, 17.5.2007.

² OJ L 334/85, 19.12.2007.

³ OJ L 334/97, 19.12.2007.

⁴ OJ L 334/125, 19.12.2007.

⁵ OJ L 334/169, 19.12.2007.

⁶ OJ L 334/109, 19.12.2007.

⁷ OJ L 334/137, 19.12.2007.

⁸ OJ L 332/68, 18.12.2007.

⁹ The findings of this report are based on the work of the Joint Committees tasked with monitoring the implementation of the VFAs, preparatory meetings with Member States ahead of Joint Committee meetings, as well as independent sources such as NGO reports on the impact of VFAs in the third countries concerned.

1.1. Background

As envisaged by the Hague Programme¹⁰ of November 2004, the European Community developed a common approach on visa facilitation in December 2005, according to which negotiations on a VFA are opened with third countries on a case by case basis, while bearing in mind the EU's relationship with candidate and potential candidate countries, countries covered by the European Neighbourhood Policy as well as strategic partners.¹¹ Moreover, in order to facilitate legitimate travel while tackling irregular immigration, the conclusion of a VFA with any third country is made conditional on the existence, or parallel conclusion, of a readmission agreement with that country. The prospect of concluding a VFA provided the Commission with additional leverage in its negotiations on readmission agreements with Russia and Ukraine, for which it had received negotiation directives in September 2000 and June 2002 respectively. Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Serbia and the Republic of Moldova subsequently expressed an interest in concluding a VFA, accepting the conclusion of a readmission agreement in turn.¹²

While visa facilitation is distinct and separate from visa liberalisation, the VFAs with Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia constitute a first concrete step towards the establishment of a visa-free travel regime, in line with the conclusions of the Thessaloniki EU-Western Balkans Summit of 21 June 2003.¹³ The VFA with Russia reaffirms in its preamble the intention to establish a reciprocal visa-free regime, in line with the Joint Statement of the EU-Russia St Petersburg Summit of 31 May 2003.¹⁴ The VFAs with the Republic of Moldova and Ukraine likewise recognise in their preambles the introduction of a visa-free travel regime as a long term perspective.¹⁵

In November 2008, the Council adopted further negotiation directives for a VFA with Georgia, in line with the European Council Conclusions of 1 September 2008. Most recently, in June 2009, the Council adopted negotiation directives for a VFA with Cape Verde, in the framework of the pilot Mobility Partnership with Cape Verde and the broader EU-Cape Verde "Special Partnership". Negotiations with Georgia and Cape Verde are ongoing.

In line with the Joint Declaration of the Prague Eastern Partnership Summit of 7 May 2009, the Eastern Partnership will promote mobility of citizens of the partner countries through visa

¹⁰ The Hague Programme: strengthening freedom, security and justice in the European Union, OJ C 53/1, 3.3.2005.

¹¹ The Council had first adopted negotiating directives for a VFA with Russia in July 2004, followed by Ukraine in November 2005. Further negotiating directives for VFAs with Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Serbia and the Republic of Moldova were adopted in November and December 2006.

¹² The European Community and Albania had already concluded a readmission agreement in April 2005, entering into force on 1 May 2006.

¹³ Visa liberalisation dialogues were opened with each of the five Western Balkan countries in the spring of 2008. On 15 July 2009, the Commission proposed the amendment of Council Regulation 539/2001, so as to lift the visa obligation on citizens of the former Yugoslav Republic of Macedonia, Montenegro and Serbia - see COM(2009) 366, 15.7.2009.

¹⁴ An EU-Russia visa dialogue to examine the conditions for visa-free travel as a long-term perspective was opened in September 2007.

¹⁵ An EU-Ukraine visa dialogue to examine the conditions for visa-free travel for Ukrainian citizens to the EU as a long-term perspective was opened in October 2008. The Joint Declaration of the Prague Eastern Partnership Summit of 7 May 2009 affirms the long-term goal of full visa liberalisation for individual partner countries on a case-by-case basis provided that conditions for well-managed and secure mobility are in place.

facilitation and readmission agreements. Thus, further visa facilitation and readmission agreements are envisaged with Armenia, Azerbaijan and Belarus, depending on the overall political relationship.

A number of other third countries have also expressed an interest in negotiating visa facilitation and readmission agreements. As specified by the common approach on visa facilitation, the existence of a readmission agreement, or the willingness of a third country to negotiate one, does not automatically lead to the opening of negotiations on a VFA. Moreover, the Commission and Member States agree that the adoption by the Council of any further negotiating directives on VFAs should be preceded by an evaluation of the functioning of the existing VFAs. The present document provides this evaluation and will serve as a basis for discussions.

1.2. State of play

The VFA with Russia entered into force on 1 June 2007 and the VFAs with Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, the Republic of Moldova, Montenegro, Serbia and Ukraine entered into force on 1 January 2008.

These VFAs provide a number of procedural facilitations to visa applicants:

- the simplification and harmonisation of documentary evidence regarding certain purposes of travelling (e.g. participation in official meetings, consultations, negotiations etc.);
- wider issuance of multiple-entry visas valid for longer periods to certain categories of persons (e.g. business people, journalists etc.);
- a lowering of the visa fee for all citizens to €35 and a fee waiver for certain categories of persons (e.g. disabled persons, participants in scientific, cultural and artistic activities etc.);
- a maximum processing time for visa applications of 10 calendar days;
- facilitated departure in case of lost or stolen documents;
- extension of visas in cases of *force majeure*.

Moreover, holders of diplomatic passports are exempt from the visa obligation.

The VFAs bind all EU Member States¹⁶ except Denmark, the United Kingdom and Ireland. The countries associated with the Schengen *acquis*, Iceland, Norway and Switzerland, are not covered by the VFAs. In Joint Declarations attached to each VFA these Member States and associated countries¹⁷ are however invited to conclude similar bilateral agreements with the third countries concerned.¹⁸

¹⁶ As Bulgaria, Cyprus and Romania do not yet issue Schengen visas, they issue national short-stay visas valid only for their own territories in accordance with the provisions of the VFAs.

¹⁷ As the Agreement between the EU, the EC and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* entered into force only on 1 March 2008, the current VFAs do not include Joint Declarations with regard to Switzerland.

¹⁸ Denmark has concluded VFAs with Albania, Bosnia and Herzegovina, Montenegro, Russia, Ukraine and Serbia and has completed negotiations on a VFA with the Republic of Moldova; negotiations with

The VFA with Russia is a reciprocal agreement providing facilitations both for Russian citizens travelling to the EU and for EU citizens travelling to Russia. By contrast, Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, the Republic of Moldova, Montenegro, Serbia and Ukraine unilaterally lifted the visa obligation on EU citizens.¹⁹ The VFAs therefore facilitate only the travel of their citizens to the EU.²⁰ Each VFA however contains a provision specifying that, should the third country reintroduce a visa obligation on EU citizens, the same facilitations granted under the VFA to citizens of the third country would automatically, on the basis of reciprocity, apply to EU citizens. The Republic of Moldova introduced a visa obligation on citizens of Romania in April 2009, which was maintained until September 2009 (see point 2.6.4. below).

Each VFA established a Joint Committee tasked with monitoring its implementation, suggesting amendments or additions to the VFA and settling disputes arising out of the interpretation or application of its provisions. The European Community is represented in the Joint Committees by the Commission, assisted by experts from the Member States. The Joint Committees provide a forum for exchanges of views and constructive cooperation in the implementation of the VFAs both during and in between meetings.²¹

The Joint Committees have also drafted implementing Guidelines in order to ensure a correct and harmonised implementation of the VFAs by the consulates of Member States (and Russian consulates in the case of the VFA with Russia).²² The first experiences with the implementation of the Visa Facilitation Agreements confirmed the need for Guidelines ensuring a harmonised implementation and clarifying the relationship with the visa policy rules that continue to apply to issues not covered by the Agreements.

the former Yugoslav Republic of Macedonia are ongoing. Norway has concluded VFAs with Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Russia and Ukraine; negotiations with the Republic of Moldova, Montenegro and Serbia are ongoing. Iceland does not issue Schengen visas in the countries concerned but is represented, depending on the location, by Denmark (Tirana, Sarajevo, Belgrade, Moscow and St Petersburg), Finland (Murmansk), France (Skopje) or Norway (Kyiv). Switzerland has concluded a VFA with Bosnia and Herzegovina and completed negotiations on VFAs with the former Yugoslav Republic of Macedonia, the Republic of Moldova, Russia and Serbia; negotiations are ongoing with Albania and Ukraine and due to be opened with Montenegro. Neither the United Kingdom nor Ireland has concluded any VFAs with the third countries concerned (nevertheless, the United Kingdom has opted into the readmission agreements concluded with the same third countries). Although some of these Member States and associated countries have not yet concluded such bilateral agreements with all the third countries concerned, some have already aligned their practices with the European Community's VFAs.

¹⁹ Some of these countries still imposed the visa obligation for the citizens of certain Member States at the start of negotiations. In order to ensure equal treatment of all EU citizens, they lifted this visa obligation either before signing the agreement or before its entry into force.

²⁰ Article 8 on departure in case of lost or stolen documents also applies to EU citizens (see 2.6.2 below).

²¹ To date, the EC-Russia Joint Committee has met five times, the EC-Ukraine and EC-Republic of Moldova Joint Committees have met three times each and the respective Joint Committees with Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia have met twice each.

²² The EC-Russia Joint Committee adopted common implementing Guidelines for the EC-Russia VFA on 12 March 2009. While the implementing Guidelines for the other VFAs have yet to be formally adopted, consulates have been applying them in practice since the entry into force of the VFAs. The implementing Guidelines, unlike the Agreements themselves, are not legally binding.

2. EVALUATION OF THE IMPLEMENTATION OF THE VISA FACILITATION AGREEMENTS

2.1. Statistics

Annual visa statistics (see Table 1 below) allow a direct comparison between visa issuance by Member State consulates in the countries concerned in the years before and after the entry into force of the VFAs.²³ In total, 5,318,341 Schengen visas were issued in 2008 in the countries concerned, which represents 51.7% of all Schengen visas issued worldwide. As shown, the number of visa applications increased in some countries, with significant increases in Albania (+28%), the Republic of Moldova (+27%) and Montenegro (+25%) and a sizeable increase in Russia (+8%), but decreased in others, with a significant decrease in Ukraine (-33%), a sizeable decrease in Serbia (-13%) and a slight decrease in Bosnia and Herzegovina (-3%). Changes in the number of visa applications may be attributed to a number of causes, including economic factors and the enlargement of the Schengen area in December 2007. The precise impact of the VFAs is therefore unclear.

The percentage of visas not issued (i.e. applications that were either refused or discontinued) has been relatively constant with slight decreases in all countries, except Montenegro and Serbia. The most significant decrease occurred in Albania from over 23% to under 18%. As mentioned above, the VFAs do not affect the issuing conditions; their implementation should therefore have no impact on the percentage of visas refused. However, the simplification of supporting document requirements is likely to have led to fewer applications being declared inadmissible.

Russia has provided statistics according to which 1,591,829 visas were issued to EU citizens²⁴ in 2008, the refusal rate being negligible (less than 0.01%).

In addition, the Commission has collected statistics on the number of Schengen visas issued free of charge and the number of multiple-entry visas issued (see Table 2 below). Due to technical difficulties, in particular the fact that the computer systems of some consulates do not record the relevant data, only partial statistics could be obtained and the below table presents an extrapolated estimate of the total figures.²⁵ These estimates nevertheless shows the most tangible impact of the VFAs to be the significant numbers of visas issued free of charge (ranging from 36.1% in Ukraine to 41.3% in Serbia) and multiple-entry visas issued (ranging from 11.6% in the Republic of Moldova to 39.3% in Albania). While no comparative data is available for 2007, the issuance of multiple-entry visas was previously rare and fee waivers were applied only for limited categories of applicants (e.g. children under the age of 6) and in some individual cases.

The Visa Code²⁶ will introduce the systematic collection of data on the number of multiple-entry visas issued. The systematic collection of statistics on the number of visas issued free of charge would be advisable for future evaluations of the impact of the VFAs.

²³ The VFA with Russia entered into force already on 1 June 2007.

²⁴ Not including citizens of Denmark, Ireland and the United Kingdom.

²⁵ No data is available for consulates in the former Yugoslav Republic of Macedonia and Russia. Likewise, no data is available on the number of multiple-entry visas and visas issued free of charge by Russian consulates to EU citizens.

²⁶ Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), OJ L 243/1, 15.9.2009.

Table 1: Comparison of visa issuance by Member State consulates in the countries concerned²⁷ in 2007 and 2008

	Number of visas applied for	Number of visas issued	Number of visas not issued	% visas not issued
<i>Albania 2007</i>	81,236	96,514	18,872	23.2%
Albania 2008	104,317	90,203	18,345	17.6%
<i>Bosnia and Herzegovina 2007</i>	114,254	107,837	8,505	7.4%
Bosnia and Herzegovina 2008	110,520	116,898	8,045	7.3%
<i>Republic of Moldova 2007</i>	25,907	28,837	2,930	11.3%
Republic of Moldova 2008	33,067	28,911	3,486	10.5%
<i>Montenegro 2007</i>	19,771	20,069	298	1.5%
Montenegro 2008	24,764	23,797	967	3.9%
<i>Russia 2007</i>	3,411,556	3,368,311	74,099	2.2%
Russia 2008	3,674,842	3,716,850	71,050	1.9%
<i>Serbia 2007</i>	538,495	525,897	27,266	5.1%
Serbia 2008	467,385	474,646	24,425	5.2%
<i>Ukraine 2007</i>	1,304,186	1,324,193	56,765	4.4%
Ukraine 2008	869,361	867,036	36,961	4.3%
<i>Total VFA countries 2007</i>	5,495,405	5,471,658	188,735	3.4%
Total VFA countries 2008	5,284,256	5,318,341	163,279	3.1%

Table 2: Commission estimate of share of visas issued free of charge and multiple-entry visas issued in the countries concerned²⁸ in 2008

	Percentage of visas issued free of charge (estimate)	Percentage of multiple-entry visas issued (estimate)
Albania	36.4 %	39.3 %
Bosnia and Herzegovina	40.2 %	17.1 %
Republic of Moldova	39.9 %	11.6 %
Montenegro	38.7 %	25.5 %
Serbia	41.3 %	15.7 %
Ukraine	36.1 %	12.6 %

²⁷ The data includes only the 21 EU Member States covered by the EC's VFAs and issuing Schengen visas. Before 21 December 2007 the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia issued national short-stay visas valid only for their own territory. The source of 2007 data is Council document No. 8215/08 VISA 130 COMIX 282 - 08/04/2008 (<http://register.consilium.europa.eu/pdf/en/08/st08/st08215.en08.pdf>); the source of 2008 data is Council document No. 12493/09 VISA 257 COMIX 611 - 31/07/2009 (<http://register.consilium.europa.eu/pdf/en/09/st12/st12493.en09.pdf>). Data for the former Yugoslav Republic of Macedonia is not included, due to technical errors.

²⁸ No data is available for consulates in the former Yugoslav Republic of Macedonia and Russia. Likewise, no data is available on the number of multiple-entry visas and visas issued free of charge by Russian consulates.

2.2. General evaluation

The implementation of the VFAs has been successful overall – making the issuance of visas easier, quicker and cheaper for almost 7 million applicants²⁹ – though some specific shortcomings have been identified, as set out below. The entry into force of the VFAs has had no negative impact on the functioning or organisation of Member State's consulates in the third countries concerned.³⁰ Their additional efforts in implementing the facilitations provided by the VFAs should however be fully acknowledged.³¹

Above all, the implementation of VFAs did not – and could not – increase security risks or risks of irregular immigration towards the EU, as VFAs provide only procedural facilitations without altering the actual conditions for issuing visas, as laid down in the Common Consular Instructions³² and Article 5 of the Schengen Borders Code³³. In particular, visa applicants must not constitute threats to the security of the EU Member States and must demonstrate their willingness to return to their country of residence upon expiry of the visa; where visa applicants fail to satisfy these conditions, their applications continue to be refused.³⁴

While the VFAs have provided significant procedural facilitations, they have not solved all possible inconveniences faced by citizens of the third countries concerned when applying for visas. Both the authorities of these third countries and NGOs have signalled that visa applicants continue to face a number of problems:

- insufficient information and perceived unfriendly treatment in some consulates;
- lack of motivation of refusals of visa applications by some Member States and absence of an appeal possibility;
- absence of a harmonised list of required supporting documents;
- lack of presence or representation of some Member States in some third countries.

Several third countries had asked to also cover (some of) these issues in the VFAs. Instead, the Commission sought to address them horizontally through a modernisation of Community legislation on visas, benefiting visa applicants of all nationalities. Accordingly, the recent

²⁹ In 2008, there were over 5.3 million visa applications in the third countries with which VFAs are in force and almost 1.6 EU citizens applied for Russian visas (see statistics in point 2.1. above).

³⁰ The VFAs apply to the citizens of the third country concerned and EU citizens, regardless of their place of residence (they also apply to e.g. Bosnian and EU citizens legally residing in New York and applying, respectively, for Schengen or Russian visas there). No particular problems have been reported on the implementation of the VFAs by consulates of Member States and Russia in other third countries.

³¹ Particularly in Ukraine, Member State consulates have signalled that the long list of categories of applicants benefiting from a visa fee waiver requires additional time for the processing of visa applications. This appears to be linked to problems of interpretation of certain categories listed in the EC-Ukraine VFA, e.g. pensioners (see point 2.5.3. below).

³² Common Consular Instructions on visas for the diplomatic missions and consular posts, OJ C 326/1, 22.12.2005.

³³ Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code), OJ L 105/1, 13.4.2006.

³⁴ One exception is constituted by holders of diplomatic passports, who are exempted from the visa obligation by the VFAs, though no abuses of this provision have been reported by Member States to date (see point 2.6.3. below).

amendment³⁵ of the Common Consular Instructions provides a legal framework for new forms of consular organisation and cooperation, including the establishment of Common Application Centres or cooperation with external service providers, as well as providing for courteous and non-discriminatory treatment of visa applicants in full respect of their human dignity. Furthermore, the Visa Code³⁶ will provide the obligation to motivate refusals, the obligation to provide an appeal possibility, reasonable quality of service, as well as further harmonisation of required supporting documents. Member States' consular presence or representation is not regulated by Community legislation and it remains the responsibility of Member States to make efforts to ensure consular coverage.³⁷

As regards the VFA with Russia, EU citizens have also complained that they continue to face certain problems which are not covered by the VFA: tourists still require a prior validation by the competent Russian ministry (resulting in delays); moreover Russian single-entry visas are strictly purpose-bound, which may result in difficulties when holders of tourist visas participate even briefly in a secondary activity (e.g. business meeting or language course) as part of their tourist visit.

The VFAs have at times created excessive expectations, even leading some citizens of the third countries concerned to believe that the conditions for the issuance of visas no longer apply. The governments of these countries have generally emphasised the benefits of the VFAs to their citizens, thereby failing to provide sufficiently detailed information regarding the VFAs and their scope. The consulates of EU Member States and the European Commission's Delegations in the third countries concerned therefore have a duty to better communicate the VFAs and provide sufficient information about their provisions, as well as the Community or national rules that continue to apply to issues not covered by the VFAs.³⁸

The implementation of all the VFAs' major provisions is evaluated below. After presenting the scope and a general evaluation of each provision, specific shortcomings in their implementation are highlighted, where applicable.

³⁵ Regulation (EC) No 390/2009 of the European Parliament and of the Council of 23 April 2009 amending the Common Consular Instructions on visas for diplomatic missions and consular posts in relation to the introduction of biometrics including provisions on the organisation of the reception and processing of visa applications, OJ L 131/1, 28.5.2009.

³⁶ OJ L 243, 15.09.2009. The Visa Code will apply from 5 April 2010. Provisions on the obligation to motivate refusals and the obligation to provide an appeal possibility will apply from 5 April 2011.

³⁷ Accordingly, since March 2008, 40 additional consulates or representation arrangements have been established by the Member States in the eight third countries with which VFAs are in force.

³⁸ It should also be noted that a VFA is only one of several means of promoting people-to-people contacts. In the area of visas, existing flexibilities in the Schengen *acquis* remain applicable and complement the VFAs (e.g. Member States have the possibility of reducing or waiving visa fees in individual cases and of issuing multiple-entry visas to persons other than those belonging to the categories defined in the VFA). Local border traffic (LBT) agreements provide a response to the specific needs of residents of border areas by issuing them with a local border permit allowing for visa-free travel within the border area. LBT agreements thereby ensure that the EU's external borders are not a barrier to trade, social and cultural interchange or regional cooperation. (LBT agreements are bilateral agreements between EU Member States and neighbouring third countries in conformity with Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006 laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen Convention, L 405/1, 30.12.2006.)

2.3. Simplification of supporting documents concerning the purpose of travel

Article 4(1) of each VFA provides, for a number of categories of visa applicants, a simplification of requirements for supporting documentation proving the purpose of the intended journey. For most purposes of travel, only one single document is required. For instance, persons participating in scientific, cultural and artistic activities, including university and other exchange programmes, are required to submit only *“a written request from the host organisation to participate in those activities”*.

According to Article 4(3), no other justification, invitation or validation is required beyond the respective documents foreseen in Article 4(1). However, the general requirement of personal appearance for the submission of the visa application and supporting documents remains unaffected. If in individual cases doubts remain regarding the purpose of the journey, the visa applicant is called to the consulate for an additional in-depth interview. In such cases, additional documents can be provided by the visa applicant or exceptionally requested by the consular officer. This has given rise to discussions with certain third countries, as it not always easy to distinguish between the exceptional request for additional documents in individual cases of doubt and a generalised practice of requesting additional documents which is incompatible with Article 4(1).

Article 4(1) harmonises only the supporting documents regarding the purpose of travel. Other supporting documents to be submitted by visa applicants, e.g. to prove their means of subsistence covering their stay and return, are not harmonised and consulates continue to request varying lists of numerous documents as a result. This is heavily criticised by visa applicants from the third countries concerned. In line with European Community Declarations attached to the VFAs, Member States have endeavoured to harmonise the lists of all required supporting documents and some such initiatives have been taken in the framework of Local Consular Cooperation. The forthcoming Visa Code will provide for a more harmonised, though non-exhaustive, list of supporting documents to be required by every consulate.

A major concern raised by Member State consulates in a number of the third countries concerned is the widespread use of falsified supporting documents, which however existed already prior to the VFAs. The VFAs have indeed had a positive impact on this issue as the relevant Joint Committees have recommended the establishment of contact points within the authorities of the third countries concerned to assist consulates in verifying the authenticity of supporting documents issued by public authorities. The third countries moreover have a responsibility to monitor the organisations designated to issue supporting documents regarding the purpose of travel under Article 4(1). Member State consulates and competent authorities of the third countries have established closer cooperation in the detection of false documents, with due regard to rules on the protection of personal data.

Another issue that has been raised in the Joint Committee in this context is the question as to whether the original of the document provided in Article 4(1) should be submitted or whether faxes, copies, etc could be accepted by the consulates. In the Council, Member States pleaded in favour of requiring the originals, citing document security reasons. For practical reasons and reasons related to the time needed for processing visa applications, Member State consulates and Russia pleaded in favour of accepting that, at least for certain categories of visa applicants, faxes, copies, etc could be used. Finally, in the implementing Guidelines, the following compromise solution has been defined:

"In principle, the original request or certificate of the document required by Article 4(1) shall be submitted with the visa application. However, the consulate can start processing the visa application with facsimile or copies of the request or certificate of the document. Nevertheless, the consulate may ask for the original document in case of the first application and shall ask for it in individual cases where there are doubts."

While the provisions on supporting documents concerning the purpose of travel have successfully simplified procedures for many visa applicants, certain shortcomings have been identified in relation to specific categories of visa applicants. These shortcomings are horizontal in nature in that they apply to all VFAs (except where otherwise specified below). A future renegotiation of the VFAs should address these issues.

2.3.1. Close relatives

Under the relevant provision of each VFA, close relatives³⁹ visiting citizens of the same third country legally residing in the territory of the Member States are required to present *"a written request from the host person"*. All the Joint Committees monitoring each VFA agreed that, in order to prove the status of close relative, applicants should additionally present a document proving the family tie (e.g. certificate of birth, marriage, adoption). A number of third countries, in particular the Republic of Moldova and Ukraine, have however reported that the requirements, varying by consulate, to translate and/or legalise such civil status documents represent an additional financial burden and procedural obstacle to the visa applicant. The current wording of the relevant provision in each VFA does not regulate whether translation and/or legalisation of such documents is required.

Another issue relating to this provision – and to all the VFAs' other provisions on close relatives (i.e. issuance multiple-entry visas⁴⁰ and waiver of the visa fee) – is that they apply only to close relatives visiting citizens of the same third country legally residing in the Member States (and EU citizens visiting EU citizen close relatives legally residing in Russia). The VFAs do not deal with the facilitation of visas for third country national family members visiting EU citizens (or EU citizen family members visiting Russian citizens). It is instead a matter of principle that each contracting party should facilitate family visits to its own citizens as much as possible, regardless of the nationality of the family member and therefore independently of any bilateral agreement. Third country national family members joining or accompanying EU citizens who have exercised their right of free movement within the EU benefit from the issuance of visas free of charge and under an accelerated procedure by virtue of Directive 2004/38/EC⁴¹. Member States should issue them with multiple-entry visas where appropriate. However, EU citizens visiting close relatives who are Russian citizens residing in Russia currently do not benefit from facilitations equivalent to those provided by the EC-Russia VFA to EU citizens visiting close relatives who are also EU citizens.

³⁹ Close relatives are defined as including the spouse, children (including adopted), parents (including custodians), grandparents and grandchildren. European Community Declarations attached to the VFAs with the five Western Balkan countries acknowledge these countries' wish to give a wider definition to the notion of family members and call on Member States to use the existing flexibilities of the *acquis*.

⁴⁰ Article 5(1) on multiple-entry visas covers only spouses and children under 21 (see point 2.3.1. below).

⁴¹ Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States, OJ L 158/77, 30.4.2004.

2.3.2. Journalists

Under the relevant provision of each VFA, journalists are required to present “*a certificate or other document issued by a professional organisation proving that the person concerned is a qualified journalist and a document issued by his/her employer stating that the purpose of the journey is to carry out journalistic work*”, the purpose of this double requirement being to prevent misuse of this provision by bogus journalists. The professional organisations competent to issue certificates or other documents proving that the visa applicant is a qualified journalist are designated by each third country and listed in the implementing guidelines for each VFA. Third countries thereby have considerable discretion which professional organisations to designate and, as a result, journalists who are not members of these specific professional organisations do not benefit from the facilitations foreseen for journalists under the VFAs (i.e. simplification of supporting documents, issuance multiple-entry visas and waiver of the visa fee⁴²).

In the VFA with Russia the implementation of this provision (which applies reciprocally to Russian journalists travelling to the EU and EU citizen journalists travelling to Russia) is further hampered by the fact that neither Russia nor a number of EU Member States have professional organisations for journalists. As a result, the document issued by the employer is accepted in practice as sole proof of the purpose of the journey.

2.3.3. International cargo drivers

Under the relevant provision of each VFA, international cargo drivers applying for visas are required to present “*a written request from the national association of carriers of [the third country] stating the purpose, duration and frequency of the trips*”. Accordingly, the designated associations in all countries should take responsibility for verifying the applicants’ data (e.g. driving licence, international transportation licence, itinerary) and summarise the relevant information in the written requests addressed to the consulate.⁴³

However, the written requests provided by a number of the designated associations fail to provide relevant information specifying the purpose, duration and frequency of the trips. In some cases, the written requests merely confirm that the visa applicant is employed as an international cargo driver without giving any indication as to the applicant’s intended trips. In other cases, the written requests contain relevant information but are deemed to be unreliable by the consulate and/or there are doubts as to the authenticity of the document.

As a result, consulates request several other supporting documents, in addition to the one foreseen by Article 4(1), in order to verify the purpose of the journey. Most commonly, consulates request an invitation or contract with a partner company in the host Member State, which also serves to ascertain whether their Member State is the main destination and therefore whether the consulate is competent to issue the visa. When the request does not offer sufficient data on the purpose, duration and frequency of the trips, it indeed does not allow a consulate to decide which Member State is responsible for issuing the visa.

⁴² Journalists are exempted from the visa fee under all VFAs, except the VFA with Russia.

⁴³ The written request must specify the applicant’s name and surname, date of birth, sex, citizenship, passport number, time and purpose of the journey and number of entries, as well as the host organisation’s full name and address (Article 4(2) VFA).

The system provided in Article 4(1) for international cargo drivers should therefore be reviewed, both as regards the authority for issuing the written request and its content. This review should also lead to the examination of the possibility, in particular for the category of international cargo drivers, to simplify the list of supporting documents related to the other entry conditions such as the means of subsistence.⁴⁴

2.3.4. *Tourists (Western Balkans)*

The VFAs with the five Western Balkan countries contain a provision on document simplification for tourists (a certificate or voucher from a travel agency or a tour operator accredited by Member States in the framework of local consular cooperation confirming the booking of an organised trip). To date, these provisions have not been implemented as the required accreditation by Member States in the framework of local consular cooperation did not take place, due to difficulties in agreeing on the reliability of travel agencies and tour operators.

2.3.5. *Business people (Albania)*

Under Article 4(1)(b) of the EC-Albania VFA, business people and representatives of business organisations are required to present “*a written request from a host legal person or company [...] in the territories of the Member States, endorsed by a Chamber of Commerce of the Republic of Albania*”. However, as a result of changes in Albanian legislation, membership of businesses in a Chamber of Commerce is no longer obligatory. As the Chambers of Commerce are not in a position to attest the existence of businesses other than their own members, the Joint Committee monitoring the implementation of the EC-Albania VFA concluded that consulates should no longer require endorsement of written requests by a Chamber of Commerce and instead verify the existence of businesses with Albania’s National Registration Centre (NRC/QKR).

2.4. **Issuance of multiple-entry visas**

Given the traditional reluctance of consulates to issue multiple- entry visas with a long period of validity, Article 5 of each VFA entails the most significant facilitation, providing a gradual entitlement to the issuance of multiple-entry visas to a number of categories of applicants.

Multiple-entry visas⁴⁵ valid for up to five years are issued to certain categories of applicants given their professional status (e.g. members of governments, parliaments and supreme courts, permanent members of official delegations) or their family ties with third country nationals legally residing in the EU (spouses and children)⁴⁶.

Broader categories of applicants (e.g. business people, journalists, international cargo drivers, participants in international sports events and scientific, cultural and artistic activities etc.) are issued with multiple-entry visas valid for one year, provided that during the previous 12 months the visa applicant obtained one or more single-entry visa, made use of it in accordance

⁴⁴ It is worth mentioning that during the first period of implementation of the EC-Russia VFA, the list of supporting documents required by consulates in Moscow varied from one consulate to another between 8 and 26 documents.

⁴⁵ Irrespective of their validity period, multiple-entry visas entitle their holder to a maximum stay of 90 days per 180-day period.

⁴⁶ On the basis of reciprocity, the EC-Russia VFA provides for the issuance of five-year multiple-entry visas to spouses and children of EU citizens legally residing in Russia.

with the laws on entry and stay of the State(s) visited, and that there are reasons for requesting a multiple-entry visa.

Multiple-entry visas valid for between two and five years are issued to the same categories of applicants if during the previous 24 months the visa applicant obtained two successive one-year multiple-entry visas, made use of them in accordance with the laws on entry and stay of the State(s) visited, and that the reasons for requesting a multiple-entry visa are still valid.⁴⁷

A Commission estimate, based on statistics collected by Member State consulates in the third countries concerned, suggests that a significant percentage of Schengen visas issued during 2008 were multiple-entry visas, although the percentages in each country vary between 11.6% in the Republic of Moldova and 39.3% in Albania⁴⁸ (see point 2.1. above).

Nevertheless, a number of the third countries concerned consider that too few multiple-entry visas are issued, in particular multiple-entry visas valid for between two and five years. In this context, it should be recalled that the VFA provides for the issuance of multiple-entry visas to the categories listed in Article 4(2) only where the applicant demonstrates the need to travel frequently to one or several Member States. Moreover, a number of consulates have reported that visa applicants – based on their earlier experiences – often do not request a multiple-entry visa even when they are eligible for its issuance.

Finally, it should be recalled that Member States were previously reluctant in issuing multiple-entry visas and therefore, during the first year of implementation of the VFAs, only a small number of visa applicants met the criteria for obtaining a multiple-entry visa valid for between two and five years, i.e. having obtained previously two one-year multiple-entry visas.

2.4.1. Period of validity

Some third countries have complained that Member State consulates continue to issue multiple-entry visas valid for only six or nine months. In principle, this is not in line with the relevant provision of the VFAs. A one-year multiple-entry visa should be issued when the relevant conditions (see above) are met.

Likewise, Member State consulates should issue a multiple-entry visa valid at least for two years where the applicant qualifies for such a visa. A consulate may not decide to issue a multiple-entry visa valid for only one year, except in a duly justified case (e.g. when a business person applying for a third multiple-entry visa is due to retire within a year from the date of application). This has been clearly stated and agreed in the implementing guidelines. Nevertheless, some consulates still appear to be reluctant in the implementation of Article 5.

2.4.2. Days of stay granted to international cargo drivers

The implementation of provisions on the issuance of multiple-entry visas to international cargo drivers initially posed an implementation problem to Germany, whose national employment law limits the exercise of international cargo services by foreign-employed drivers to 90 days per year. As a result, German Consulates issued multiple-entry visas entitling to a stay of only 45 days per 180 days.

⁴⁷ The VFA with the former Yugoslav Republic of Macedonia contains more favourable provisions on this issue.

⁴⁸ No data is available for the former Yugoslav Republic of Macedonia or Russia.

In the meantime the German authorities have adopted a practice that respects both the VFAs and the *Schengen acquis* on the one hand and German national employment legislation on the other. Accordingly, multiple-entry visas are issued to international cargo drivers entitling to a stay of 90 days per 180-day period in the Schengen area, with a remark on the visa that the holder may exercise international cargo services in Germany only for a maximum of 90 days per year. The Commission urged Member States imposing a similar restriction of the days of authorised stay per period of 180 days to adopt the same practice.

2.5. Reduction or waiver of the visa fee

Article 6(1) of each VFA provides for a reduced visa fee of €35 for all applicants, compared to the usual Schengen visa fee of €60 and the Russian visa fee of €60, €100 or €140 (depending on the number of entries required) charged to those EU citizens not covered by the EC-Russia VFA⁴⁹. The VFAs with Russia and Ukraine however provide for an urgency fee of €70 to be charged to visa applicants who submit their visa application within three days before the date of envisaged departure (see point 2.5.4. below). The VFAs with the former Yugoslav Republic of Macedonia and the Republic of Moldova contain a derogation whereby Bulgaria and Romania may issue (national) short-stay visas free of charge until these Member States join the Schengen area.

Article 6(2) of each VFA⁵⁰ entirely waives visa fees for a number of categories of persons (e.g. disabled persons, persons participating in scientific, cultural and artistic activities including university and other exchange programmes, etc.). A Commission estimate, based on statistics collected by Member State consulates in the third countries concerned, suggests that well over a third of Schengen visas issued in these countries were issued free of charge in 2008, with the share in each country varying only slightly between 36.1% in Ukraine and 41.3% in Serbia⁵¹ (see point 2.1. above).

The reduction or waiver of the visa fee has thus proven to be a particularly tangible benefit of the VFAs to every visa applicant, including EU citizens travelling to Russia.⁵² Regarding the implementation of provisions on reduction and waiver of the visa fee, some shortcomings have however been identified as set out below. These shortcomings are horizontal in nature in that they apply to all VFAs (except where otherwise specified below). These shortcomings should be addressed in a future renegotiation of the VFAs.

2.5.1. Additional fees charges by external service providers

Faced with a rise in visa applications in certain locations around the world, a number of Member States have outsourced parts of the visa application procedure to external service providers. In the third countries with which a VFA is in force, outsourcing has taken various forms ranging from the use of private call centres allocating appointments at consulates to the establishment of fully-fledged privately-operated visa application centres managing the reception of visa applications on behalf of several Member States' consulates (e.g. in

⁴⁹ Russian visa fees in euro charged to citizens of Ireland and the United Kingdom. (Source: Embassy of the Russian Federation in Ireland). Citizens of Denmark benefit from a fee reduction under the Denmark-Russia bilateral VFA.

⁵⁰ Article 6(3) in the VFAs with Russia and Ukraine.

⁵¹ No data is available for the former Yugoslav Republic of Macedonia or Russia.

⁵² EU citizens travelling to the other seven countries with which the EC has concluded a VFA even benefit from a visa waiver.

Moscow, St Petersburg and Kyiv). Russia has likewise outsourced the reception of visa applications for its consulate in London and is considering further outsourcing in other cities in the EU. Visa applicants making use of services provided by external service providers incur a service fee in addition to the visa fee charged by the consulates.

At the time of the conclusion of the VFAs, the Community *acquis* on visas provided no legal framework for cooperation with external service providers in the visa procedure and the charging of additional service fees. As a result, the VFAs reduced or waived visa fees charged by consulates while the additional service fees charged by external service providers were deemed incompatible with the VFA. The European Parliament and the Council have since adopted a legal framework⁵³ for cooperation with external service providers, which stipulates that service fees must not exceed half the amount of the general visa fee, which is currently at €60 (i.e. service fees are limited to €30). Moreover, Member States cooperating with external service providers must maintain the alternative possibility for visa applicants to lodge applications directly at the consulate.

The VFAs should therefore be amended accordingly in order to regulate the service fees that may be charged to the citizens of the third countries concerned and, as regards the VFA with Russia, to EU citizens travelling to Russia.

2.5.2. *Transit visa fee*

The VFA also reduces the fee for transit visas to €35. However, the VFAs are unclear as to whether the categories of applicants exempted from the visa fee also qualify for a waiver of the fee when the purpose of the journey is transit to a third country (e.g. persons transiting through an EU Member State in order to participate in international sports or cultural events in third countries) and thus does not promote people-to-people contacts between the EU and the third country with whom the VFA has been concluded. This issue should be clarified in a future renegotiation of the VFAs.

2.5.3. *Definition of categories exempted from the visa fee*

The categories of applicants benefiting from a waiver of the visa fee have been subject to occasional interpretation questions, following from concrete individual cases. Thus, most VFAs⁵⁴ waive the visa fee, *inter alia*, for pensioners and journalists.

As regards pensioners, the question arose in practice whether former professional athletes and dancers (e.g. a ballet dancer) or members of the armed forces (e.g. a military pilot), who formally retire from these professions at an early age, should be exempted from the visa fee when travelling on business to exercise another profession.

As regards journalists, the question arose in practice whether journalists who present proof of their profession other than the supporting documents foreseen by Article 4(1) should benefit from a fee waiver (see 2.3.2. above). Moreover, journalists are often accompanied by

⁵³ Regulation (EC) No 390/2009 of the European Parliament and of the Council of 23 April 2009 amending the Common Consular Instructions on visas for diplomatic missions and consular posts in relation to the introduction of biometrics including provisions on the organisation of the reception and processing of visa applications, OJ L 131/1, 28.5.2009.

⁵⁴ Pensioners and journalists are exempted from the visa fee under all VFAs, except the VFA with Russia.

camaramen/camerawomen and technical staff who, strictly speaking, are not journalists themselves. Should they benefit from a fee waiver?

As regards the definition of certain categories, such as pensioners, the Commission services consider it both unnecessary and impractical to adapt the text of the VFAs to cover every eventuality. Rather, consulates should respect the spirit of the VFA when deciding on such individual cases. However, a formal extension of the facilitations provided to journalists (simplification of supporting documents, multiple-entry visas and visa fee waiver) to their accompanying crew should be considered.

2.5.4. Urgency fee (Russia and Ukraine)

The urgency fee provided by Article 6(2) of the VFAs with Russia and Ukraine was designed as an additional tariff for visa applicants who apply for a visa at the last moment before departure and thereby disturb the normal functioning of the consulate. In practice, many applicants voluntarily pay the urgency fee for the convenience of having the visa issued within three days even if the departure is foreseen later. The implementing Guidelines for the agreements seek at length to define under which circumstances the urgency fee applies. Given the disproportionate effort in interpreting and implementing this provision and its use by applicants for other purposes, the abolition of the urgency fee should be considered.

2.6. Other provisions

2.6.1. Length of procedures for processing visa applications

Article 7 of each VFA sets a deadline of ten calendar days for consulates to take decisions on visa applications. The ten-day period starts from the date of receipt of the complete visa application with all necessary supporting documents. The period of time for taking a decision on a visa application may be extended to up to 30 calendar days in individual cases where further scrutiny is required.

Although a number of Member States have underlined the administrative effort required to implement these provisions, consulates have generally succeeded in deciding upon visa applications within the ten-day deadline; indeed they often process applications in much less than ten days.

A number of third countries have signalled that, although decisions on filed visa applications are taken within ten days, visa applicants often spend significantly longer obtaining an appointment to submit their application. This issue is not regulated by the VFAs. The new Visa Code however contains a provision whereby an appointment shall, as a rule, take place within a period of two weeks from the date when the appointment was requested.

2.6.2. Departure in case of lost or stolen documents and extension of visas in exceptional circumstances

Article 8 of each VFA provides for facilitated departure of persons whose identity documents have been lost or stolen. Under this provision, which applies both to EU citizens and citizens of the third countries, such persons may leave the territory of, respectively, the third country or EU Member State on the basis of an identity document issued by the consulate of their country of citizenship without the requirement for any visa or other authorisation required.

Article 9 of each VFA provides for the extension of visas, free of charge, to citizens of the third country who, for reasons of *force majeure*, cannot leave the territory of the Member States by the time stated in their visas. Neither Member States nor the third countries concerned have signalled any difficulties in the implementation of either of these provisions.

2.6.3. *Visa exemption for holders of diplomatic passports*

Article 10 of each VFA⁵⁵ exempts holders of diplomatic passports from the visa obligation. Holders of service passports are not covered by this provision, although a number of Member States have bilateral agreements with one or several of the third countries also exempting holders of service passports from the visa obligation.⁵⁶

Although exempt from the visa obligation, holders of diplomatic passports wishing to enter the territories of the EU Member States must nevertheless meet the entry conditions defined in Article 5 of the Schengen Borders Code⁵⁷. Moreover, holders of diplomatic passports may stay in the territories of the EU Member States for no longer than 90 days per period of 180 days. No abuses of the visa exemption for holders of diplomatic passports have been reported.

2.6.4. *Reciprocity clause*

Each VFA – except the EC-Russia VFA which is a fully reciprocal agreement – contains a provision specifying that, should the third country reintroduce a visa obligation on EU citizens, the same facilitations granted under the VFA to citizens of the third country would automatically, on the basis of reciprocity, apply to EU citizens.

Between 9 April and 17 September 2009, the Republic of Moldova introduced a visa obligation only for citizens of Romania while citizens of other EU Member States remained exempt from the visa obligation. While such unequal treatment of EU citizens is unacceptable to the EU, the wording of the reciprocity clauses fails to categorically rule out the introduction of the visa requirement by third countries for citizens of only one or more EU Member States. The reciprocity clauses should be amended accordingly in a future renegotiation of the VFAs.

2.6.5. *Simplification of registration procedures (Russia)*

Article 10 of the VFA with Russia provides for the simplification of registration procedures. The EC has raised this issue with Russia on a number of occasions. Russia has provided information on its registration procedures both in the Joint Committee and at a specific expert meeting in December 2007. Some simplification has been carried out, although some of the measures envisaged (e.g. on-line registration option, registration forms in English) have not yet materialised. Further examination has also shown that problems related to registration procedures are more commonly encountered by EU citizens temporarily residing in Russia (i.e. for more than 90 days) than EU citizens entering Russia on the basis of short-stay visas.

⁵⁵ Article 11 of the VFA with Russia.

⁵⁶ European Community Declarations attached to the VFAs with the five Western Balkan countries announce a reassessment of the situation of service passport holders before 2012 in view of their possible exemption from the visa obligation. As regards the former Yugoslav Republic of Macedonia, Montenegro and Serbia, the Commission has since proposed an amendment of Council Regulation 539/2001, to exempt all citizens from the visa requirement – see COM(2009) 366, 15.7.2009.

⁵⁷ Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code), L 105/1, 13.4.2006.

3. CONCLUSION

Since their entry into force on 1 June 2007 and 1 January 2008 respectively, the VFAs with Russia and with Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, the Republic of Moldova, Montenegro, Serbia and Ukraine have made it easier, cheaper and quicker for over 5.3 million visa applicants annually⁵⁸ – representing just over half of all Schengen visas issued worldwide – to obtain visas to travel to the EU, and for almost 1.6 million EU citizens annually to obtain visas to travel to Russia.

Over a third of visas issued in the third countries concerned were issued free of charge, the wider issuance of multiple-entry visas has facilitated travel for *bona fide* visa applicants who regularly need to travel, and the visa exemption for diplomatic passport holders has facilitated official contacts and thereby contributed to closer overall relations between the EU and each of the third countries concerned. Crucially, the implementation of VFAs has not increased security risks or risks of irregular migration towards the EU, as the conditions for issuing visas and the conditions for crossing the external borders remain unaffected.

The citizens of the abovementioned countries placed high expectations in the VFAs and not all of these have been met, as a number of difficulties faced by visa applicants remained outside the scope of the VFAs. The Visa Code, applicable from April 2010, addresses a number of these issues for visa applicants of all nationalities, with citizens of the EU's neighbouring countries who wish to travel frequently to the EU standing to benefit in particular.

The implementation of the VFAs has been successful overall, although the present evaluation has identified some specific shortcomings in the implementation of certain provisions, which should be remedied in a future renegotiation of the existing VFAs and taken account of in negotiations on future VFAs.

Based on the findings of this evaluation, the following steps should be taken:

- renegotiation of the provisions on simplification of supporting documents proving the purpose of travel as regards the designated bodies issuing attestations and their content;
- renegotiation of the provisions on visa fees: broader fee waivers would benefit more citizens and be easier for consulates to implement, the urgency fee should be abolished and the possibility for external service providers to charge a service fee should be included;
- renegotiation of the reciprocity clauses to prevent the discriminatory introduction of a visa obligation on citizens of only one EU Member State;
- better information provision to visa applicants on the VFAs and their provisions, as well as the Community or national rules applying to issues not covered by the VFAs;
- systematic collection of statistics on the number of visas issued free of charge and multiple-entry visas issued.

⁵⁸ 2008 data (see statistics in point 2.1. above).