

TOWARDS AN IMPROVED EUROPEAN FRAMEWORK – THE REVISION OF THE VISA DIRECTIVE

THE CURRENT STATE OF PLAY

Non-European citizens coming to the European Union for studying, volunteering, doing an internship, and researching face time-consuming and costly procedures to obtain visas and residence permits.

The main problems under the current legislative framework (set by the Visa Directive 2004/114/EC) are the following:

- **Unclear and complex procedures** - applications may sometimes involve lengthy, costly and unclear procedures both for the applicant and consular posts. For example, Portuguese legislation lacks of details regarding the elements that should be included in the agreement between the volunteer and the responsible hosting organisation (description of the task, working time, resources, etc.).
- **Weak procedural guarantees** - including the lack of any provision on time limits within which applications for admission would need to be assessed and decided on by Member States.
- **Limited scope** - the current Directive is optional for certain groups (school pupils, volunteers and unremunerated trainees), leading to wide variations in the Member States' coverage of the different groups. Only 12 Member States have reported having included the provisions for school pupils and volunteers in their legislations.
- **Fragmentation** – the 2004 Directive was transposed very differently across Member States. For the groups for which the visa procedure requires an organisation to initiate and facilitate admission (in particular school pupils, trainees and volunteers), the diversity of regulations per hosting EU country makes the visa application a difficult task that entails a lot of additional organisational efforts.

These administrative barriers have a **negative impact on the attractiveness of the EU** as a destination for learning, researching and volunteering purposes. Young people from beyond EU are not in the position to think 'I am going to the EU to learn' but still need to make decisions on the basis of countries and their more or less favourable provisions. Furthermore, current provisions are not sufficiently supportive of Union programmes that include mobility measures, such as the Erasmus + Programme.

WHAT HAPPENS, CONCRETELY?

Stories from people¹

I am from Israel and I wanted to complete my studies in a circus school in Spain. It was difficult because the documents that I had to fill were all in Spanish. The visa arrived ten days late and I could not continue my studies there.

(Moraya, from Israel)

I went to Slovakia for an EVS-Volunteer project. But one month after I had started it, I got a notification saying that there were some complications with my visa. I had to fly back to Georgia to solve the problem.

(Maria from Georgia)

When I applied for a Visa to volunteer in Belgium, I had to show my mother's bank statements and her retirement pension. I finally got the visa but under the condition that I would go back to the consulate within 10 days upon my return to Turkey, otherwise they would make the process harder for my next applications.

(Merve from Turkey)

¹ From the European Youth Forum's Freedom of Movement Platform

Facts from countries²

COMPLEXITY

To enter Czech Republic, school pupils are required to have a health insurance issued by a company in Czech Republic.

Cyprus admits pupil exchange schemes only if they are from countries which offer the same possibility for pupils from Cyprus.

Belgium requires prove of sufficient knowledge of the language for students enrolled in school programs.

Exchange organisation can't officially invite school pupils; the visa application and residence permits applications are tied to the host families' and the schools' support.

Hungarian authorities require a certificate of the real estate the host family owns and lives in.

Belgian consulates require a health certificate for the visa application, which has to be released by specific certified clinics valid for the Belgium authorities.

TIME

Austrian authorities can officially take up to six months to process a visa request.

School pupils going to Spain get only a three-month visa, and they have then to extend the visa once in the country. Getting a visa that covers the whole exchange period would save time and financial resources.

In Portugal, school students who spend a semester in the country have to pay high fees for a Year Residence Permit, because there is not a proportional fee system for shorter stays.

COSTS

The costs for visa and residence permits can range from 30 to 650 Euros, depending on the country.

In Belgium, local authorities can do a second check of the student's financial means prior to the renewal of the residence permit.

The guarantor has to transfer a certain amount of money to the student every month (for example, in France this corresponds to 615 €).

In Belgium, the new 2015 law requires students older than 18 to pay an extra visa cost of 160 euros, and volunteers to pay an extra fee of 215 euros (on the top of the cost of the residence permit).

In the majority of cases, visa applications must be made in person. This means that the applicant has often to travel long and expensive distances – and sometimes even to neighbouring countries - to reach the closest consulate. For example, a student from Colombia who is willing to study in Hungary has to travel to Brazil to apply for a visa!

WHY A REVISED VISA DIRECTIVE?

Currently, legislations and practices vary significantly from one country to the other. An improved EU Visa Directive will require all EU countries to meet minimum requirements and will make it easier for young people to travel and study to Europe.

The European Union as a whole would benefit from an improved common framework, since it would become a more attractive destination for education and training purposes. **If you are proud of your national legislation on mobility, support other Member States to adopt equally favourable legal provisions.**

² From the survey conducted in 2011 by EFIL and EEE-YFU to contribute to the European Commission's consultations prior to the revision of the Visa Directive.