

Brussels, 17th June 2013

**European Commission Open consultation
Improving procedures for obtaining short-stay 'Schengen' visas**

**Input from the European Federation for Intercultural Learning (EFIL)
the European Platform of AFS pupil exchange organisations**

EFIL welcomes the fact the Commission aims at improving procedures for obtaining short-stay 'Schengen' visas. Article 16 of the REGULATION (EC) No 810/2009, the so-called 'Visa code', already guarantees the waiving of visa fee for the applicants to our activities and to those organised by our member organisations in the Schengen area:

(b) school pupils, (...) who undertake stays for the purpose of study or educational training;

(d) representatives of non-profit organisations aged 25 years or less participating in seminars, conferences, sports, cultural or educational events organised by non-profit organisations.

However, **the AFS organisations in Turkey and in the Russian Federation** regularly report to EFIL cases where Consulates of countries in the Schengen area fail to respect the above mentioned provisions of Article 16 of the 'Visa code'. Moreover, EFIL invites regularly representatives from **Egypt and Ghana** to its yearly Volunteer seminar. NGO representatives from Egypt usually obtain the short-term Schengen visa easily, but they need to pay the visa fee. NGO representatives from Ghana usually never get the short term Schengen visa, and in case they get it, they need to pay high visa costs. Below, we report more information regarding our AFS members in the Russian Federation and Turkey, and a best practice from Serbia and Bosnia Herzegovina. Finally, we state our demands for the improvement of the procedures for obtaining short-stay 'Schengen' visas.

Russian Federation

Usually for Russian school pupils is much easier to being granted a short term Schengen visa than a long term one. However, AFS Russia in 2013 had a case with the German embassy which refused to grant the visa a school pupil who wanted to go on a trimester exchange programme. The reason was "the documents do not prove that she is going to return to Russia in time". Attached to the application there was a plane ticket with the return date within the three months period. The pupil applying for this three month visa was staying in Germany for the trimester exchange but departing from Brussels (Belgium) where she was supposed to attend the final event of the trimester exchange, focusing on European Citizenship. Other two Russian school pupils applying for a three month visa to attend a trimester exchange in Belgium were denied their visas by the Belgian consulate, claiming that "the documents are inappropriate" and not providing any further explanation. All documents mentioned under Article 14 of the 'Visa code' are always provided by applicants from AFS Russia.

The waiving of visa fees for school pupils and volunteers under 25 from AFS Russia usually depends on mood of the officer who is behind the counter of the Schengen country embassy/consulate where they apply for the short-term visa. Sometimes the consulate's personnel ask for payment, sometimes does not.

On 17th June 2013 a volunteer from AFS Russia applied for a short term visa to Denmark where the yearly seminar organised by EFIL for AFS volunteers takes place this year. The volunteer was asked to pay although in the website of the Danish consulate is written that this category is granted a short term visa for free. The volunteer paid 2625 rouble (approx. 67 euro).

Turkey

Short-term Schengen visas for AFS Turkey school pupils and volunteers - both under and over 25 years old - are denied often, especially multiple entry ones. Pupils and volunteers under 25 always have to pay the visa fee, which has the excessive cost of about 120 euros.

Best practice:

AFS organisations in Serbia and Bosnia Herzegovina's school pupils and volunteers benefit from the fact that both Serbia and Bosnia Herzegovina are on the "white" Schengen list, which means that they can stay without visa within the Schengen area for a period up to 90 days in a period of six months, if they hold a valid biometric passport. Therefore, all participants to EFIL and AFS programmes coming from Serbia and Bosnia Herzegovina have obtained a biometric passport.

Demands:

- The revised 'Visa code' should include a clear definition of the difference between '**representatives of non-profit organisations** (...) participating in seminars (...) and '**participants** (...) in seminars (...) organised by non-profit organisations'. In most NGOs, there is no difference between representatives and participants, since also participants represent the NGO they are members of and through which they take part to the seminar.
- EFIL calls on the European Commission to ensure that the **existing provisions under Article 16 of the 'Visa code'** concerning '**school pupils** who undertake stays for the purpose of study or educational training/educational exchange' and '**representatives of non-profit organisations aged 25 years or less** participating in seminars, conferences, sports, cultural or educational events organised by non-profit organisations' **are respected**.
- EFIL calls on the **extension of the waiving of visa fee to the category of representatives of NGOs aged more than 25 and to all participants, regardless the age, in seminars, conferences, sports, cultural or educational events, organised by non-profit organisations**.
- The solution of the "white" Schengen list from which Serbia and Bosnia Herzegovina's citizens benefit from, could be taken as a best practice and extended to citizens from other EU neighbouring countries.