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SCH/Com-ex (93) 18 rev 1

## DECISION OF THE EXECUTIVE COMMITTEE

SCH 93 / II b  
EXCOM 023  
ACQUIS

The Executive Committee,

- Having regard to Article 132 of the Convention implementing the Schengen Agreement,
  
- Having regard to Article 17(2) of the abovementioned Convention,

HAS DECIDED AS FOLLOWS:

1) In approving Annex 5 to the Common Consular Instructions on Visas, the Executive Committee has, in accordance with the Convention and based on the information currently available on the possible threats to public policy, public safety, and national security in each of the Contracting Parties, drawn up a list of countries, whose nationals may only be granted a visa, following consultation with the central authorities of Schengen States, which have requested this.

The Executive Committee confirms that the proposals contained in the report prepared by the Central Group and annexed hereto shall, starting from the date of the Convention's implementation, enable this consultation to take place according to the transitional arrangements described in this document.

2) The Central Group is instructed:

- to monitor the implementation of transitional measures,
  
- to report to the Executive Committee on the technical, financial and legal provisions needed to enable a messaging system connecting the central authorities to be set up as soon as possible.

Paris, 14 December 1993

A. Lamassoure  
Chairman

Annex on consultation of central authorities  
transitional arrangements

Pending the setting up of an electronic messaging system, mutual consultation, pursuant to Article 17 (2) of the Schengen Convention, may be carried out according to two types of procedure.

**PROCEDURE A: COMMUNICATION BETWEEN CONSULATES IN THE  
FRAMEWORK OF CONSULAR COOPERATION**

- 1) In any given country, all consular posts (post X) where a visa application is lodged by a national of a country subject to consultation by one or more of the Contracting Parties shall automatically send a copy of the visa application form or excerpts of this (\*) to the consular post or the consular posts (posts A, B, C, etc.) of these Contracting Parties.
- 2) Each consular post thus consulted (posts A, B, C) shall send its central authority the information considered necessary by this authority, in accordance with its own procedure.
- 3) The reply to the consular post (post X) where the application was originally lodged shall subsequently be communicated by posts A, B, C, following the opinion of their central authority; the reply will be considered favourable following a time-limit of 7 days, which may be extended by an additional 7 days. This time-limit shall be calculated in clear days, starting from the day of transmission of the copy of the application form from post X to posts A, B, C.
- 4) The arrangements for transmission of the visa application and subsequently, for transmission of the opinions of the consulted authorities, shall be regulated at local level by the heads of the consular posts, taking into account security requirements.

(\*) Name, given name, place and date of birth, nationality and sex of the applicant. Some delegations also request the references in the Schengen States and the number of the travel document (provisional reservation entered by the Greek delegation).

- 5) When one of the countries which requests to be consulted has no representation locally, the consular post where the visa application is lodged shall send this either by fax or by telex, to the nearest consular post or diplomatic representation of this country ("relay" post ) so that it can send the visa application to its central authority. When the replies are sent, via the same route, the time-limits for replying are the same as those provided for in point 3, starting from the transmission of the fax of the visa application to the consular post of the Contracting Party requesting to be consulted.

#### **PROCEDURE B: COMMUNICATION BETWEEN CENTRAL AUTHORITIES VIA THE EMBASSIES IN THE CAPITALS OF THE SCHENGEN STATES**

Countries which have a computer link between their central authority and their embassy in the country requesting the consultation, may send visa applications via this channel.

In practice, this would involve the embassy of country A, at whose consulate a visa application was lodged, sending via its embassy, a copy of this request or excerpts of this (\*) to the central authority of country B which requested consultation. The reply would be sent in the opposite direction, via the same route. The time-limits mentioned in paragraph shall start from the transmission of the request from the embassy of country A to the central authority in country B.

#### **IN GENERAL**

- 1) Each Contracting Party may, in the case of certain nationalities, request to limit consultation to certain persons (selective consultation).
  - 2) Each Contracting Party's central authority shall appoint a consultation correspondent; this person shall be responsible for any difficulties that arise in implementing the central authorities' consultation procedures.
  - 3) Prior to the Convention's entry into force, each Contracting Party shall notify the other Contracting Parties of the type of procedure they will use to communicate visa applications that are subject to consultation; these procedures should be defined for each of the Contracting Parties' consular posts.
- (\*) Name, given name, place and date of birth, nationality and sex of the applicant. Some delegations also request the Schengen States' references and the number of the travel document (provisional reservation entered by the Greek delegation).