

**Brussels, 4 December 2024
(OR. en)**

16584/24

LIMITE

**VISA 179
COMIX 502**

NOTE

From:	Presidency
To:	Visa Working Party/Mixed Committee (EU-Iceland/Norway and Switzerland/Liechtenstein)
Subject:	Improving Consular Presence for Schengen Visa Processing

Visa policy plays an important role in improving the EU's overall relations with third countries, promoting people to people contacts, tourism, business, and cultural exchange. Facilitating access to the visa application procedure has a positive impact on the EU's reputation. Therefore, it is in the common interest to streamline and improve the consular presence for processing Schengen visas, particularly until the digitalisation of visa procedure is implemented. Member States should strive to be present in as many locations as possible for the processing of Schengen visas.

Consular posts dedicated to processing Schengen visas offer numerous benefits to both the issuing state and the applicants. These include greater control over the visa process, the ability to tailor-made services to the local context, and enhanced accessibility for applicants. However, establishing and maintaining a consular presence for each Member State in all visa-required third countries is costly and requires significant investment in infrastructure, staffing, security, and operational support. Consequently, finding cost-effective and efficient ways to increase consular accessibility while managing these logistical and financial challenges is crucial.

Visa representation is an essential feature of the EU's visa policy, promoting accessibility and efficiency in visa processing. It is an example of the spirit of cooperation among the Member States and ensures a smoother experience for travellers, while maintaining the integrity of the system.

There have already been some attempts by the Commission in the past to move towards compulsory visa representation¹, however, without any definitive result. At the time of the Visa Code recast, the Commission considered that 'Mandatory representation' would secure consular coverage in any third country where there is at least one consulate present to process visa applications. This could have a positive impact on some 100 000 applicants who would be able to lodge the application in their country of residence instead of travelling to a country where the competent Member State is present or represented.

Ensuring that all EU and Schengen Member States are represented in third countries for visa issuance is a complex task that requires cooperation, resource allocation, and efficient use of existing frameworks. The amendments to the Visa Code in 2014 and 2020 (on representation, visa fees and ESPs) have already aimed at enabling Member States to increase their consular presence for the processing of Schengen visas.

This paper outlines several strategies that Member States can adopt to enhance their consular presence in third countries, taking into account the advantages, challenges, and potential solutions.

1. Concluding Schengen visa representation agreements

A Member State processes visa applications on behalf of another in countries where the latter has no consular presence. This system is part of the EU's coordinated visa policy, making it easier for travellers to apply for a Schengen visa. In order to enable all Member States to be present or represented, amendments have been made to the Visa Code in 2020. The Visa Code also encourages the Member States to conclude as many representation agreements as possible.

These agreements ensure cost-effectiveness for Member States, enhanced and accessibility to visa procedures for applicants. However, such agreements require efficient coordination and clear communication channels among Member States.

¹ Proposal for a Regulation of the European Parliament and of the Council on the Union Code on Visas (Visa Code) (recast) /* COM/2014/0164 final - 2014/0094 (COD) */

Ideas for further reflection:

- **Rationalisation by region:** In visa-free countries or regions (e.g. in South-America), where the issuance of Schengen visas is relatively low (for visa holders living there), but there are still applications to handle, a Member State could be designated to cover certain regions and undertake to issue Schengen visas on behalf of the other Member States, saving costs and resources.
- **Expand Existing Coverage:** States already representing others in third countries should consider extending their services to additional Member States.
- **Standardize Agreements:** The EU could create templates or guidelines to simplify and standardize these representation agreements, reducing administrative hurdles.

2. Enhancing cooperation with External Service Providers

To conclude an agreement with an external service provider in third countries where the Member State does not have a diplomatic mission, but the external service provider undertakes to forward applications to the designated diplomatic mission.

In regions with security concerns, ESPs allow consular services to be provided without the need for a physical diplomatic mission. While ESPs offer an easy solution and good accessibility, the transportation of applications for the remote missions increases the costs for applicants and the time required to receive the decisions. On the other hand, it can be still less costly than a necessary travel to another third country to lodge the visa application. However, this solution does not allow the direct interaction with consular staff, lacks the knowledge of local circumstances and makes operation and cooperation more difficult.

Further idea for reflection:

- Use these centres as a hub for multiple Member States, with clear agreements on how applications are forwarded to respective consulates for decision-making.

3. ‘Common application centres’ and ‘co-location’

At Common Application Centres’ (CACs), staff of the consulates of two or more Member States shall be pooled in one building in order for applicants to lodge applications (including biometric identifiers). Applicants shall be directed to the Member State competent for examining and deciding on the application. Member States shall agree on the duration of and conditions for the termination of such cooperation as well as the cost-sharing among the participating Member States.

Co-location staff of the consulates of one or more Member States shall carry out the procedures relating to applications (including the collection of biometric identifiers) addressed to them at the consulate of another Member State and share the equipment of that Member State.

CACs allow multiple Schengen countries to share operational costs, making it more affordable for those with fewer visa applicants or no diplomatic presence in a particular location. While centralized, managing the operations of a CAC can be complex, coordinating the activities of various states while ensuring that local requirements are met can be challenging.

Despite the Commission’s efforts in the past to provide financial support to such projects, very few were eventually materialized, and in practice, there are visa application centres now managed by ESPs, where a particular ESP collects applications for several MS.

4. Implementing Online Applications

The shift towards online visa applications is an important strategy for improving accessibility and hopefully the full operation of visa digitalization visa procedure will offer convenience, cost reduction and a streamlined process of visa applications. Digital platforms could allow applicants to submit their information, pay fees, and schedule appointments without the need for in-person visits. However, in some regions, access to the internet and the necessary technology may be limited, disadvantaging certain groups of applicants.

5. Mobile Consular Services

Mobile consular services could offer temporary visa processing facilities in remote or underserved areas. These services can be deployed on a rotating basis to meet demand in areas with large numbers of applicants. Mobile services bring consular services to applicants in areas that would otherwise have limited access. Operating mobile consular services requires substantial logistical planning, including transportation, security, and staffing.

Ensuring the secure environment for the customer service and reception of applications is challenging in places without a permanent mission. Therefore, we invite Member States with more experience on mobile consular services to share their practices, and experiences, in particular how the full process can be managed in such cases.

In conclusion, enhancing the consular presence for Schengen visa processing in third countries is crucial for maintaining the EU's global reputation and facilitating people-to-people connections. While establishing and maintaining consular posts is resource-intensive, strategies such as visa representation agreements, external service providers, common application centres, can offer practical solutions to improve accessibility and efficiency. Member States should continue to explore and implement these strategies to ensure that visa processing is as accessible and streamlined as possible, while balancing cost-effectiveness and security concerns.

Questions:

Member States are invited to discuss the following questions or to share their own ideas:

- *Would you consider concluding further representation agreements to have a greater consular presence? Do you encounter any difficulties in negotiating such agreements with Schengen partners? Are there any locations where you could offer representation?*
- *Do you think that visa issuance could be further /better rationalised at certain regions and the visas issued by a designated Member State?*
- *Do you have any best practices for visa issuance in places that are difficult to access that you could share?*