

Schengen area: digitalisation of the visa procedure

2022/0132A(COD) - 07/02/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Matjaž NEMEC (S&D, SL) on the proposal for a regulation of the European Parliament and of the Council amending Regulations (EC) No 767/2008, (EC) No 810/2009 and (EU) 2017/2226 of the European Parliament and of the Council, Council Regulations (EC) No 1683/95, (EC) No 333/2002, (EC) No 693/2003 and (EC) No 694/2003 and Convention implementing the Schengen Agreement, as regards the digitalisation of the visa procedure.

The aim of the proposed Regulation is to digitalise the Schengen visa process, replacing the visa sticker, and introducing the possibility to submit visa applications online through the European online visa platform. A common digital platform will significantly contribute to improving the image of the EU and the Member States ensuring a coherent visa policy and will significantly reduce the number of visa procedures resulting from the loss or exchange of a travel document.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Quality system

Member States should ensure that the service offered to the public is of a high standard and follows good administrative practices. They should allocate appropriate numbers of trained staff and sufficient resources to facilitate as much as possible the visa application process. A 'one-stop' principle should be applied to all applicants.

The new system should also enhance the protection of people with disabilities and address the issues relating to digital literacy and internet accessibility, as well as the language accessibility issues of the EU application platform and the procedure.

Flagged IP addresses

In certain third countries internet network coverage is still extremely limited. Particular attention should be given to circumstances where several applications are launched from the same location and the same IP address. Flagged IP address alone or the potential duplication of IP addresses should not, in itself, automatically lead to the disqualification of the visa application or be a premise for refusing to grant a visa.

Visa fees

For applications submitted via the EU application platform, the visa fee should be charged in euro and should be half the amount of the original visa fee. The fee should not be refundable except in certain cases.

Issuing of a visa with limited territorial validity

The report states that a visa with limited territorial validity issued for humanitarian grounds or because of international obligations could also refer to a visa allowing the holder to enter the territory of the Member State issuing the visa for the purpose of making an application for international protection in that Member State.

Refusal of a visa

For applications submitted via the EU application platform, as soon as the refusal decision is available, the applicant should be notified by electronic means. A decision on refusal and the reasons on which it is based should be made available to the applicant in the secure account.

The refusal decision should be in the **language** of the Member State that has taken the final decision on the application, another official language of the Union, and the official language(s) of the host country or widely spoken unofficial language(s) of the host country.

The period of the appeal should be initiated once the visa applicant receives the notification of the refusal decision via the EU application platform or via receipt of the standard form described in Annex VI.

Lastly, the report proposes to strengthen the responsibility and mandate of eu-LISA and the national authorities at the different stages of data processing.