Schengen area: digitalisation of the visa procedure

2022/0132A(COD) - 07/12/2023 - Final act

PURPOSE: to introduce new rules today which will allow people who plan to travel to the Schengen area to apply online for a visa.

LEGISLATIVE ACT: Regulation (EU) 2023/2667 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 693/2003 and (EC) No 694/2003 and Convention implementing the Schengen Agreement, as regards the digitalisation of the visa procedure.

CONTENT: the main elements of the regulation are as follows:

Creation of an EU platform for visa applications

A single technical solution, namely the EU Visa Application Platform (EU VAP), should be developed to allow visa applicants to apply for a visa online, regardless of the Member State of destination. It should automatically determine which Member State is competent to examine an application, in particular in cases where the applicant intends to visit several Member States. In such cases, Member States would only need to check whether the tool determined the correct competent Member State.

The EU VAP should provide the applicant with:

- **up-to-date and easily accessible information** and the conditions for entry on the territory of the Member States, in formats that take into account visual impairments;

- a **guidance tool** with which the applicant can find all the necessary information regarding visa requirements and procedures, such as, but not limited to: (i) whether and what type of visa is required; (ii) the amount of the visa fee; (iii) the Member State competent for handling the application; (iv) which supporting documents are required; (v) whether an appointment is necessary to collect biometric identifiers and whether it is possible to apply online without an appointment;

- **documents** in a printable format and should include a communication mechanism, such as a **chatbot**, to answer questions of the applicants;

- as well as information on the **processing of personal data** in the context of the VIS.

The platform will also enable secure electronic communication between the applicant and the relevant consulate or the central authorities of the relevant Member State, if additional documents or an interview with the applicant are required.

Submission of requests

With a few exceptions, applications for Schengen visas will be made through this platform, a single website, which will forward them to the relevant national visa systems. On this platform, visa applicants will be able to introduce all relevant data, upload electronic copies of their travel- and supporting

documents, and pay their visa fees. They will also be notified of the decisions concerning their visa. **In-person appearance** at the consulate will in principle only be necessary for first-time applicants, persons whose biometric data are no longer valid and those with a new travel document.

Member States should allow the following categories of persons to lodge an application without using the EU VAP: (it) third-country nationals for **humanitarian reasons**; (ii) **third-country nationals** in justified individual cases or in cases of force majeure; (iii) **heads of State or government** and members of a national government with accompanying spouses, and the members of their official delegation when they are invited by Member States' governments or by international organisations for an official purpose.

Verification of requests

The EU VAP should conduct an automated admissibility pre-check to verify whether the information provided by the applicant fulfils the admissibility requirements for the requested visa. It should notify the applicant if any information is missing and provide the applicant with the possibility to correct the application.

When a person intends to visit several Schengen countries, the platform will automatically determine which one of them is responsible for examining the application on the basis of the duration of stay. However, the applicant will also have the possibility to indicate whether the application needs to be processed by a specific member state according to the purpose of travel.

Data protection

The architecture of the EU VAP will ensure data protection by design and by default, the respect of the principle of data minimisation and that, when operational, the EU VAP is implemented in a way that respects access rights under the relevant existing national and Union law.

Role of eu-LISA

The European Union Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA) will manage and provide technical solutions for the EU platform for visa applications and process data submitted by visa applicants on behalf of Member States issuing Schengen visas. eu-LISA will ensure that the EU Visa Application Platform has sufficient capacity and functionality to allow Member States to join it during the transitional period.

ENTRY INTO FORCE: 27.12.2023.

The date of application of the new rules will be set once the technical work on the visa application platform and the digital visa has been completed.