



EUROPEAN COMMISSION
DIRECTORATE-GENERAL MIGRATION AND HOME AFFAIRS

Directorate B: Migration and Mobility
Unit B.2: Visa policy

Brussels, 17 DEC. 2015
Ares(2015) 5925685

Ms. Andrei Sumar
Centre d'accueil "Les Fourches"
~~Les Fourches~~
B-6887 Herbeumont

Dear Mr. Sumar,

In reply to your letters addressed to the President of the European Commission, Mr. Jean-Claude Juncker on 25 September, 21 October, and 17 November, as well as to the High Representative of the Union for Foreign Affairs and Security Policy, Ms. Federica Mogherini on 6 October 2015, in which you referred to illegal business on Schengen visas issued by three Polish consulates in Belarus, as a Head of "Visa Policy" Unit in Directorate General for Migration and Home Affairs, I would like to provide you with the following explanations.

Let me begin by apologising for the late reply to your letters. The delay was caused by the complexity of the investigated matter and the seriousness of allegations you presented.

The European Commission has been aware of the problems linked to the use of a system for booking appointments in Polish consulates in Belarus, and has been in contact with both Polish and Belarusian authorities in order to remedy this situation. Following the analysis conducted by our services, we concluded that Polish consulates in Belarus issue visas in compliance with the procedures set out by the Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas.

In order to streamline the registration process for visa applicants, an electronic system of registration was established by the Polish Ministry of Foreign Affairs (MFA), enabling the applicants to register for an appointment to lodge the visa application, as well as to register a filled-in visa application form. Such on-line registration system would enhance the transparency of registration process, allow for better use of resources, and shortening of procedures for the applicant. Poland also maintains a possibility to exceptionally accept visa applications without the registration.

Despite best efforts of the Ministry of Foreign Affairs of the Republic of Poland, we have been informed that there still are cases of abuse of the electronic visa application registration system. Specialized scripts are in use serving for automated registration of applications right after a new batch of dates is made available to the public. Therefore, the applicants cannot book the appointments directly but are forced to purchase them from intermediaries. This form of illegal activity is known also in countries other than Belarus. The Polish MFA has no knowledge of who is responsible for those acts. Belarusian authorities have been informed about this phenomenon and asked for support in identifying and bringing to justice the persons responsible.

The European Commission has been informed by the Ministry of Foreign Affairs of Poland about the extensive work put into place by to limit the impact of such abusive activities on the possibility for an individual applicant to register for an appointment to lodge a visa application. The focus is being put, among others, on technical adaptations of the system including the detection of non-human activity, as well as changes to the system of releasing of appointment dates to the public. The MFA of Poland acknowledges the existence of non-accredited mediators in the visa process in Belarus, however, as they operate independently, the Ministry cannot accept any responsibility for their activities. It is for the local Belarusian law enforcement agencies to remedy the situation and to bring those responsible to justice.

Taking all the above into consideration, I would like to inform you, that following the European Commission's analysis of the situation, nothing indicates the existence of any illegal or corrupt activities of Polish officials in relation to the issuing of visas in the Polish consulates in Belarus.

Sincerely,



YOLANDA GALLEGO-CASILDA GRAU

Head of Unit