



## How to Lower Schengen Visa Fees for Belarusians

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Despite the increase in visa fees was caused by objective reasons (new EU member states had joined the Schengen Zone, new electronic data base that complicated the visas issue procedure had been adopted), this provoked, in a rare show of consensus across bitter and antagonizing political divide, a negative reaction from both official Minsk and the Belarusian civil society.

The Ministry of Foreign Affairs of Belarus immediately labeled this measure as an unfriendly action on the side of the EU and promised to take adequate measures towards countries of the European Union. These measures were taken in February 2008, when Belarus raised costs of its visas for citizens of European countries recently joined to the Schengen Zone. At the same time Belarusian Ministry for Foreign Affairs began consultations with neighboring EU states to simplify visa issue procedures for some categories of citizens. From its side, the civil society of Belarus also negatively reacted to the rise of visa fees, mainly because of the anticipation that this would bring about a reduction of contacts with the EU and, respectively, strengthen isolation of Belarus. Besides, substantial complication of visa issue procedure at the embassies of countries frequently visited by the Belarusians, coupled with inadequate processing capacity at most of these embassies, provoked the process of obtaining Schengen visas had been accompanied by the 'degrading treatment.'

While Belarusian officials accuse the European Union of building a new 'iron curtain' on its Eastern border, civil activists and ordinary citizens worry that the EU position on the visa issue would bring about worsening of the EU image in the public opinion of the Belarusians, and even more closure of the country, what not in the least can facilitate its democratization.

To what extent are these worries warranted, and what is the real effect of the rise of visa fees for Belarusians? There are several categories of citizens that the most often apply for visas to diplomatic missions of foreign countries. This includes:

- students that study abroad and/or travel with educational or research purposes;
- tourists that visit Europe for holidays or on shop-tours;
- citizens that have relatives abroad;
- business persons;
- shuttle trades who sell their goods mainly in a neighboring country's border zone.

The first group is the most dependent economically. and therefore one could expect this group to be most affected by high visa costs. However, Belarusian students studying in the EU member states as well as students and university professors that travel with educational and research purposes fall in a privileged

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category of Schengen visa applicants. and therefore will not feel the difference. Tourists and business persons who spend large amounts of money on their trips, will not likely to refuse to travel because of a more expensive visa. Visa fee would anyway remain several times cheaper than a business class ticket or a week-long stay at a tree-star hotel in Palanga or in Nice. On the other hand, the entry of nine new states into the Schengen Zone opens new possibilities and advantages for travelers. For instance, now it is much cheaper to fly to Europe from Vilnius (the nearest capital city from Minsk) than from Minsk or Moscow. As for shuttle traders, it will be harder for them to prove the necessity of travel to receive multiple Schengen visa. However, in case they have trustworthy 'partners' or relatives in an EU member-state, it will be not so difficult to gather all the necessary documents. In this case, the increased visa fee will be made up for in a single business trip.

Citizens who have got relatives abroad and who have to visit them frequently is another affected category. However, they are most likely to get, after certain negotiations with governments of the neighboring EU member states, a status of a privileged group, and will have to pay less for a visa or even get it free of charge. As an alternative, they will be granted national visas.

It appears that the most affected and most disadvantaged group of Belarusians vis-à-vis new visa requirements is the people that previously permitted themselves short trips to European countries with tourist, study and entertainment purposes. They are mainly young people who could spend 5 Euro (or even nothing in the case of a Latvian visa) to visit a neighboring European capital for a famous rock-band's concert or just to walk around Vilnius' downtown. Now, the cost of Schengen visa and much more complicated visa issue procedure will most likely make a very serious barrier for such trips. It can be already concluded, thus, that certain groups of Belarusian citizens (especially youth) will face severe restrictions on travelling to the EU. It is premature as of now to provide any quantitative evidence on visa issuance so far. Some conclusions could be drawn after the six months the Schengen zone has been expanded by comparing the data for that period as against the last year's one.

Moreover, the fact that the EU in 'cuts off' the most important, in terms of Europeanization, group of Belarusian citizens, is a truly alarming signal. Leaders of political opposition and the civil society activists who are provided with somewhat better conditions for obtaining visas, have already been converted, while the above-mentioned groups have not yet made their final choice regarding their geopolitical and civilizational attitudes. The access to travel to the European countries is of crucial importance to emphasize the advantages of pro-European choice. Indeed, the establishment of a special visa regime for certain categories of citizens is a lost opportunity for the EU, an act of self-restraint from using a mechanism through with the European Union can really affect the social and political changes in Belarus through stimulating the mindset change of the Belarusian society.

It is also important to denote a profound adverse information effect of higher visa fees. Belarusian authorities use the visa issue to impose an argument that 'no one waits for Belarusians in Europe,' and to stress that it is the EU, not the authorities of Belarus, who pursues of self-isolation.<sup>2</sup> Some conclusions could be drawn on the basis of the recent opinion polls. Thus, a national survey conducted by the Independent Institute for Socio-Economic and Political Studies (IISEPS) recorded a twofold growth of the number of respondents who believe that living conditions improved in the neighbouring countries after the EU accession (38.3% in March 2008 as against 19.4% in January 2005).<sup>3</sup> A growing number of positive opinions may have been affected by the increased number of visits of Belarusian citizens to Poland, Lithuania, and Latvia after they joined the EU. Thus, about 500,000 Belarusians visited these countries (as the visa data suggest) in 2007. At the same time, the support for the European integration of Belarus is stagnant.

<sup>2</sup> 'The Ministry of Foreign Affairs of the Republic of Belarus observes a significant number of ungrounded refusals of

Even more, since the end of 2007, there is a 2%-decrease. It is very likely that Euro-optimistic attitudes are somewhat blocked by the EU policies having no sings of good neighbourhood promise. Instead, as the EU increases visa fees, ordinary citizens may conclude that there is no 'European future' for Belarus.

As for the visa issue, the EU is confronted with a difficult situation in Belarus. On the one hand, the EU proclaims the goal of promoting democracy in Belarus by means that include intensifying civil contacts. On the other hand, it is forced to make some unpopular steps like increasing visa fees, which is contradicting to the democratization goal. In so doing, the EU undermines its perception as an open entity, striving to expand democracy and good governance to the immediate neighbours. All countries of the EU have to charge citizens of the third countries visa fee of 60 Euros, unless there are separate agreements on visa-free regimes or simplified visa regime (such agreements are available like in the cases of Russia, Ukraine, and Moldova). Belarus, while eligible for the European Neighborhood Policy (ENP), has not signed an Action Plan with the EU. A fully-fledged participation in the ENP and the top-level negotiations will be possible only once Belarus fulfils the conditions specified in a non-paper 'What the EU could bring to Belarus'. But these conditions are very unlikely to be met by current Belarusian authorities considering them unacceptable. Consequently, a way has to be searched for out of this situation.

Are there any benefits for the EU to reduce visa charges for Belarus? The answer is far from being straightforward. On the one hand, such reduction is compatible with the EU goal to democratize Belarus via the expansion of the webs of civil contacts and intensification of information exchange. The achievement of this goal is contingent upon the growing number of Belarusian citizens visiting the EU. Visits could facilitate mindset change and strengthen pro-European orientation of Belarusians. But these effects are not apparent for the Europeans themselves. In a short run, a unilateral reduction of visa charges for Belarus could create a precedent to which other EU neighbours may appeal. Yes, the EU is not aimed at differentiating its neighbourhood policy.

It is hard to claim that Belarusian authorities are interested in the reduction of visa charges. On one hand, the Belarusian foreign ministry does lobby in Brussels for the reduction of visa fees. On the other, the situation is win-win for official Minsk – any success in lowering visa fees or in simplification of visa procedures can be credited to the authorities. Alternatively, the failure will be used as a proof that the EU is hostile towards ordinary Belarusians. Besides, the authorises of Belarus understand that the less contracts there are between Belarusian and EU citizens, the easier it is control the public opinion. The best option for them is to carry out this policy of isolation with the hands of the EU itself. This attitude of the Belarusian leadership is one of the key reasons why it does not hurry up to fulfil the twelve demands of the EU, as well as for periodical tensions in the EU-Belarus relations.

One should quote it as a positive tendency and achievement that under the influence of the information companies and lobbying by civic groups, some of the European politicians have made certain steps towards the resolution of this problem. The visa problem began to be actively discussed both at the national level and at the level of the EU institutes. At the initiative of social democrats fraction in Euro Parliament (Justas Paleckis, Lithuania, Gienawefa Grabowska, Poland, and Hannes Svoboda, Austria) and with the active participation of the Brussels-based Office for Democratic Belarus, a signature collection the petition calling for reduction of Schengen visa fees for Belarusians was organized.<sup>4</sup> However, this action wasn't successful enough since many of European deputies had refused to sign the declaration, owing to

provision of Schengen visas', Information Server of the Belarusian Embassy in Russia, May 15, 2008, available at: <http://www.embassybel.ru/press/soft/2008/05/15/17316/>

<sup>3</sup> IISEPS, March 2008, available at: <http://www.iiseps.org/data08-013.html>.

brutalities conducted by the Belarusian authorities during the opposition action on 25 March in Minsk.

Several committees of the German Bundestag have begun in the Fall of 2007 a discussion of the possibility of the reduction of the Schengen visa fees for Belarusians. German members of Parliament suggested the government to make visas to citizens of Belarus, younger than 25 years, free of charge, and also to cancel visa fees for those who goes to Germany for cultural and scientific exchanges. Besides, it was suggested to lower visa fees for low income citizens from 60 to 35 euros. These proposals, however, failed to win the support of the majority of deputies as well.<sup>5</sup>

The Czech politicians led by the former president Vaclav Havel appealed to the united Europe with a proposal to unilaterally lower the cost of the Schengen visas for Belarusians, explaining such measure by necessity of promoting democratization of Belarus.<sup>6</sup> The European Parliament debated on 21 April 2008 the issue of obtaining Schengen visas by the citizens of Ukraine and Belarus. A representative of the European Commission the vice-president of the European Commission in charge of transport Jacques Barrot, participated in the discussion. Almost the all participants who represented the different EU countries and different political fractions in European Parliament have agreed that Belarus citizens should not suffer twice, that is, from a repressive regime on the one hand, and from the prohibitive Schengen visa fees, from the other.<sup>7</sup> Opinions had been voiced that the EU visa policy is indirectly strengthening of the political system in Minsk. However, according to Mr. Barrot, “the beginning of the discussion of simplification of visa procedures with Belarus is not yet foreseen”<sup>8</sup> because of the continuing political repression in the country. Hence, the one hand, there is an understanding of that citizens of Belarus should not be punished for acts of their leaders, and on the another hand,- the European politicians cannot simplify visa procedure because of ‘a political climate’ in Belarus. It turns out that intensification of political repression is being used as a rationale for not changing the policy that indirectly strengthens a regime carrying out the repression. Such situation seems illogical, if not absurd.

The sufficient motivation for approval of the political decision necessary for the solution of a problem with Schengen visas for Belarus, is not present in the European union (besides the separate friendly states and separate political groups), as well as in government of Belarus. Citizens of Belarus, who have most suffered from the visa policy of EU and consequently are most interested in reductions of visas prices, are in private with their problem. References that the question of simplification of a visa policy can be decide only under condition of liberalization of political system in Belarus, ignore, deliberately or intentionally, that fact, that the simplification of visa policy can become the factor of advancement of these changes in Belarus. The simplification of a visa regime brings wider call to the European Union, than short logistical problems or the decision of safety issues and the control over migration. The issue at stake is to turn one of key instruments of the EU policy from the tool of intergovernmental relations to the resource of proactive policy (and, in fact, into of few real serious carrots that Brussels can use in Belarus) that first of all is aimed at societies of those countries where it’s possible to achieve positive social, political and economic changes by the largest openness. Ideally, Brussels can offer road map towards an ‘easy visa’ regime (thus

<sup>4</sup> See office web site <http://democraticbelarus.eu/node/3329>

<sup>5</sup> “Бундэстаг пакінуў кошт візы для беларусаў 60 эўра”. Наша Ніва, 15 лютага 2008 г. <http://www.nn.by/index.php?c=ar&i=15065>

<sup>6</sup> “Тавел прапануе зрабіць шэнгенскія візы для беларусаў па 35 эўра”. Еўрапейскае радыё для Беларусі, <http://www.euroradio.fm/by/331/reports/11518/>

<sup>7</sup> “ЕС не снизит цены виз для белорусов.” Новое Русское Слово, 22 апреля 2008 г. <http://nrs.ru/articles/28120.html>

<sup>8</sup> “ЕС не снизит цены виз для белорусов.” Новое Русское Слово, 22 апреля 2008 г. <http://nrs.ru/articles/28120.html>

coming with a new and large enough initiative), meanwhile setting up the ‘white list’ targeting youth as well as making the currently existing visa ban lists for Belarusian officials list much more flexible. For such reformatting, it is necessary not only to change bureaucratic routine, but also to achieve breaking of certain stereotypes, to convince Europeans, particularly the countries of “old” Europe, that the mutual openness of EU and Belarus will enrich both parties and that the step towards to the Belarus society can be made even in today’s political conditions.

In the short-run, lowering the costs of the Schengen visas for Belarusians can be promoted by the following actions, both in the EU and in Belarus:

1. The Belarusian civil society, as well as interested parties within the European Union, should continue with activities aimed at pressing through the EU Council a decision to lower the costs of Schengen visas for Belarusians, and, importantly, to simplify the visa application procedure. This necessitates a broad information and lobbying campaign (signature collections, media campaigns, other awareness-raising activities) targeting national governments that would raise this issue at the Council. This information campaign should present Belarus as a unique case in the EU foreign policy, dealing with which would necessitate proactive, out-of-the-box measures. A coalition of 8-9 EU member states on the visa issues raises chances for success exponentially. Presence of one or several key players from the ‘old’ EU member states is imperative.

2. The Belarusian civil society has to understand, however, that endless appeals to the EU without correspondent actions at home will be fruitless. A pro—European campaign inside Belarus that would demonstrate the European choice of Belarusians is as important as the activities within the EU member states. For example, civil society activists could consider carrying out a campaign raising public awareness about the high costs of Belarusian visas for EU nationals and calling for lowering visa fees. Even if the campaign fails to reach its practical goal, it can be a good show of the European solidarity spreading across the current EU border.

3. In terms of the visa policy *per se*, the decision on lowering or waving consular fees can be taken in each concrete step by a council of ambassador of the country whose embassy received visa application. Such decision can be taken even in the case when an applicant does not fit any privileged category. This would allow issuing free visas to a larger number of applicants. Naturally, all the responsibility will fall on a head of a diplomatic mission; however, with a political support of a foreign ministry of one’s country, such responsibility could be completely manageable. If heads of diplomatic missions of interested EU countries could reach an informal agreement about such scheme of issuing visas, it is fully possible to bypass a complicated and lengthy process of adopting a special decision at the EU Council.

Remarkably, such flexibility in issuing visas was recommended by the European Commission in the non paper on EU-ENP visa facilitation issued on 4 December 2006. The document contained a direct call for the member states for “a better use by Member States, already today, of the existing flexibility under the present Schengen *acquis* (e.g. issuing of multiple-entry visas and asking bona fide travelers for fewer supporting documents) would certainly contribute to solve some of the outstanding difficulties.” Belarus is eligible for participation in the ENP. Even though there is no action plan in place between Belarus and the EU, non-application of this recommendation on this basis would be just another depressing example of ‘double punishment’ of the Belarusian citizens.

4. Alternatively, interested countries (first of all, Poland, Lithuania, and Latvia) can use the opportunity to issue national visas that can be used, for example, for seeking employment in a country.