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COVER NOTE

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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
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Subject:	REGULATORY SCRUTINY BOARD OPINION – Digitalisation of visa procedures

Delegations will find attached document SEC(2022) 202 final.

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EUROPEAN COMMISSION

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REGULATORY SCRUTINY BOARD OPINION

Digitalisation of visa procedures

{COM(2022) 658}

{SWD(2022) 658, 659}

EUROPEAN COMMISSION
Regulatory Scrutiny Board

Brussels,
RSB

Opinion

Title: Impact assessment / Digitalisation of visa procedures

Overall opinion: POSITIVE

(A) Policy context

The application for and the issuance of Schengen visas remains a largely paper-based and cumbersome process. Applicants complete and sign an application form (on paper). They provide supporting documents and travel medical insurance (in original or copy). Finally, they pay the visa fee (in most cases in person). The applicant's passport remains at the consulate until the end of the procedure when – provided the visa is issued – the visa sticker is affixed to the passport, which is then returned to the applicant. This is a time-consuming and costly procedure both for the applicants and for the consulates.

The paper Schengen visa sticker is a document with commonly agreed security features. It entails high costs for Member States in terms of production, secure transport and storage. The recently enhanced visa sticker is still vulnerable to falsification and fraud. This puts the security of the Schengen area at risk.

This initiative implements the Commission's commitment in its New Pact on Migration and Asylum to make the visa procedure fully digitalised by 2025, with a digital visa and the ability to submit visa applications online.

(B) Summary of findings

The Board notes the useful additional information provided in advance of the meeting and commitments to make changes to the report.

The Board gives a positive opinion. The Board also considers that the report should further improve with respect to the following aspects:

(1) The report is not convincing that tourism and travel aspects form a key objective of the initiative.

(2) The main report does not provide a sufficiently clear and complete presentation of the options. It does not include the choices on the architecture of the digital platform option and its implications for Member States investments, data protection and cybersecurity.

(3) The impact analysis does not acknowledge the uncertainty surrounding the

This opinion concerns a draft impact assessment which may differ from the final version.

underlying assumptions.

(C) What to improve

(1) The report should be clearer on the objectives to be achieved. It should focus on the main problems, i.e. burdensome procedures and security (including cybersecurity) rather than tourism. The tourism related aspects seem uncertain and less obvious (see below), while the initiative presents a clear contribution to simplify the administrative procedures (in a wider context of digitalisation of public administrations) and to reinforce security. For the latter, the report should strengthen the evidence that the paper visa sticker – despite recent improvements – remains vulnerable to fraud.

(2) The sub-options on the architecture of the digital platform (now in annex) should be integrated into the policy options of the main report. For example, the report could present two versions of the mandatory EU visa application platform option, one with a centralised digital architecture and one with a hybrid architecture. The report should pay more attention to investment in national digital platforms already undertaken by Member States and show how a hybrid architecture could avoid possible sunk costs being wasted. The latter also presents advantages in terms of cybersecurity and protection of personal data.

(3) The impact analysis should be strengthened with a transparent presentation of the assumptions particularly those underlying the (optimistic) travel projections. The sensitivity analysis should test the results against a weaker impact of the policy options on travel. Caveats should be clearly identified.

(4) The report should explain how the scores and the weights in the final score are determined when comparing options. The weight given to the environmental impacts should not be reduced in the final score. Moreover, the environmental impact should be considered under the criterion of effectiveness rather than efficiency.

(5) The report should clarify the data protection issues, in particular by integrating more information from the European Data Protection Supervisor and from the national data protection authorities from the annexes into the main report.

The Board notes the estimated costs and benefits of the preferred option in this initiative, as summarised in the attached quantification tables.

Some more technical comments have been sent directly to the author DG.

(D) Conclusion

The DG must take these recommendations into account before launching the interservice consultation.

If there are any changes in the choice or design of the preferred option in the final version of the report, the DG may need to further adjust the attached quantification tables to reflect this.

Full title	Legislative initiative on the digitalisation of visa procedures
Reference number	PLAN/2020/8747

Submitted to RSB on	15 July 2021
Date of RSB meeting	15 September 2021

ANNEX – Quantification tables extracted from the draft impact assessment report

The following tables contain information on the costs and benefits of the initiative on which the Board has given its opinion, as presented above.

If the draft report has been revised in line with the Board's recommendations, the content of these tables may be different from those in the final version of the impact assessment report, as published by the Commission.

I. Overview of Benefits (total for all provisions) – Preferred Option		
Description	**Amount**	**Comments**
	Direct benefits	
Cost savings for TCNs (2025-2029)	Average cost saved by one applicant in the application process: approximately EUR 14 Average cost saved by one applicant to pick up travel document: approximately EUR 17 **Average total cost saved by one applicant (application and pick-up): approximately EUR 31** Total cost saved by all applicants in the application process: EUR 1.5 billion Total cost saved by all applicants to pick up travel document: EUR 1.9 billion **Total cost saved by all applicants: EUR 3.4 billion**	**Recipient: TCNs**. As most repeat applicants would be able to submit their applications in a totally digital manner, they would no longer need to spend money and time to visit a consulate/VAC and to pick up their travel document. Moreover, although first time applicants will still have a cost associated with travelling during the application process, the expenditure related to collecting the travel document is abolished for them as well.
Cost savings for Member States (2025-2029)	**Archiving visa applications** Cost saved by all MSs on resources: EUR 4.4 million Average cost saved by one MS on resources: EUR 170 000 **Visa stickers** Cost saved by all MSs: EUR 75.1 million Average cost saved by one MS: EUR 2.9 million	**Recipient: Member States.** The online storage would enable cost savings on paper-based archiving and real estate; the removal of the visa sticker would enable Member States to save current costs to procure, transport, store and print stickers.
Administrative cost savings for Member States (2025-2029)	**Processing visa applications** Time saved by all MSs: 941 FTEs Cost saved by all MSs on staff: EUR	**Recipient: Member States**. The online submission of most visa applications and the automated functionalities of the EU platform

	41.4 million **Replying to queries** Time saved by all MSs: 595 FTEs Cost saved by all MSs on staff: EUR 26.2 million **Archiving visa applications** Time saved by all MSs: 4 758 FTEs Cost saved by all MSs on staff: EUR 209.4 million **Managing visa stickers** Time saved by all MSs: 4 527 FTEs Cost saved by all MSs on staff: EUR 199.2 million **Total FTEs saved by all MSs: 10 762**[1] **Total FTEs saved on average by one MS: 414** **Total admin costs saved by all MSs: EUR 553.1 million** **Total admin costs saved on average by one MS: 21.3 million**	would enable Member States to save time and staff currently allocated to the intake and archiving applications, and replying to queries by applicants. The digital visa would enable savings on staff currently managing (printing and affixing) visa stickers.
Lower use of paper due to digital visa and application platform (2025-2029)	Paper saved: approximately 3.2 million kg	**Recipient: Member States & environment**. The majority of TCNs would no longer use paper to submit their application form and supporting documents. Paper currently used for stickers would no longer be needed.
Lower CO_2 emissions during the application process (2025-2029)	CO_2 saved: approximately 1.53 billion kg	**Recipient: Environment.** The majority of repeat applicants would no longer need to visit a consulate/VAC to apply, hence their carbon footprint during the application process would be sensibly reduced.
Lower risk of fraud and thus	*Not quantified*	**Recipient: Schengen border authorities & EU residents** with

[1] Includes 59 extra FTEs needed to collect biometrics of the additional group of TCNs expected to apply under O4.

strengthening security of the EU		regard to the removal of the sticker. It would reduce the risk of fraud and enable Schengen border authorities to exploit the synergies of interoperability.
Harmonised data management practices for processing of data	*Not quantified*	**Recipient: TCNs.** With the EU platform the Member States would no longer use their national data management practices that are currently not harmonised.
More attractive image of the Schengen Area	*Not quantified*	**Recipient: Member States and TCNs.** The EU platform would offer a coherent and harmonised entry point to VH-TCNs, increasing the consistency and attractiveness of the Schengen Area and encouraging travel. This would increase the incentives to travel for TCNs.
Increased mobility for TCNs	*Not quantified*	**Recipient: TCNs**, who would be free to use their passport and travel during the application process; Repeat applicants with reduced mobility would no longer need to appear in person at a consulate/VAC.
Reduced reliance on External Service Providers (ESPs)	*Not quantified*	**Recipient: TCNs**. There is no longer a need for ESPs to intake visa applications and process personal data of repeat applicants. TCNs would therefore not have to pay additional fees for the ESP to apply for a visa and/or lower fees may apply.
Indirect benefits		
Contribution of international travel to EU GDP (2025-2029)	Approximately EUR 53.5 billion	**Recipient: Member States**. By encouraging more TCNs to apply for a visa, the EU platform would increase the number of travellers and the GDP contribution of VH-TCNs would increase accordingly.
Lower risk of visa shopping	*Not quantified*	**Recipient: Member States**. By providing a single-entry point for all visa applications, the EU platform would oblige TCNs to apply for the competent Member State. It would limit the input of misleading information on the Member State of

		entry.
Benefits for the visa examination process	*Not quantified*	**Recipient: Schengen visa authorities and border authorities**. If Schengen visa authorities re-allocate (part of) the saved FTEs to decision-making, Member States may further improve the examination and risk assessment of visa applicants, thereby further contributing to EU security.

II. Overview of costs – Preferred option							
		EU institutions		Member States		TCNs	Environment
		One-off	Recurrent	One-off	Recurrent	Recurrent (no one-off costs)	Recurrent (no one-off costs)
EU application platform	Direct costs	**EU digital application platform (total: EUR 31.2 – 38.1 million)** Design: EUR 6.3 – 7.6 million Development: EUR 5.9 – 7.2 million Testing: EUR 4.7 – 5.8 million Deployment: EUR 1.6 – 2 million Hardware & Infrastructure: EUR 11.3 – 13.8 million Overhead: EUR 1.4 – 1.7 million **VIS adaptations** Initial migration: EUR 220 000 – 270 000 Synchronisation: EUR 200 000 – 240 000 Hardware &	**Total recurrent costs: EUR 10.5 – 12.8 million** EU digital application platform: EUR 8.2 – 10 million VIS adaptations: EUR 390 000 – 480 000 Licenses: EUR 1.9 – 2.3 million	**EU digital application platform (average per MS): EUR 2.8 – 3.3 million** Integration & adaptation: EUR 270 000 – 330 000 Hardware & Infrastructure : EUR 2.5 – 3.0 million **EU digital application platform (all MSs): EUR 68.3 – 83.5 million** **Training costs** Average per MS: EUR 33 000 All MSs: EUR 858 000	Total recurrent costs (average per MS): Maintenance & Operations: EUR 460 000 – 570 000 Total recurrent costs (all MSs): Maintenance & Operations: EUR 11.6 – 14.1 million	N/A	N/A

		Infrastructure : EUR 2.2 – 2.6 million **Training costs: EUR 20 000 – 33 000**					
	Indirect costs	N/A	N/A	N/A	N/A	Potentially limited access to IT tools (decreases with time) Potentially higher service fee for IT assistance (decreases with time) Additional processing of personal data by the platform (email address, credentials); and potentially by ESPs (on-site identification of first-time applicants)	CO_2 produced by increased travel to the EU (2025-2029): approximately 8.5 billion kg
Digital visa	Direct costs	N/A	N/A	N/A	N/A	N/A	N/A
	Indirect costs	N/A	N/A	N/A	N/A	N/A	N/A

Electronically signed on 17/09/2021 11:20 (UTC+02) in accordance with article 11 of Commission Decision C(2020) 4482