Report Feasibility Study
Shared Facility Centre Addis Ababa
Towards an Effective Somali Family Reunification Process in Addis Ababa

Index

Separately attached:
Appendix 1 – Caseload (explanation per Member State)
Appendix 2 – The Process of Family Reunification per Country
Appendix 3 – Practical Issues of an SFC
Appendix 4 – The IOM proposal

1. Management Summary

From November 2012 till July 2013 a feasibility study was conducted for the possibility of a Shared Facility Centre (SFC) in Addis Ababa. The scope of the study was limited to Somali applicants for family reunification of Finland, Sweden, the Netherlands, Norway and Austria in Addis Ababa. The advice is based on the interviewed delegations of the embassies and information gathered via questionnaires. Please note that these interviews do not always reflect the official position of Member States. We recommend that this report should be used by Member States to develop an official position whether or not to develop a Shared Facility Centre.

1.1. Research question

The following four issues were faced in Addis Ababa concerning Somali Family Reunification:
- The high caseload of Somali-applicants combined with the difficulty for the individual countries to adequately act on changes in caseload. In 2012 it concerned a total of 12.200 cases.
- The possible existence of a 'waterbed effect', which means that the caseload within a country can vary, but the overall caseload of all Member States will be stable.
- The challenges of Member States to facilitate the applicants in a customer-friendly process.
- The current operational problems that Member States face.

One the solutions that was mentioned was an SFC. The study defined a Shared Facility Centre as follows: a centre in which EU member states cooperate. The centre provides a large scale of facilities (for example DNA, Biometrics, interview rooms, information desk etc) that countries can use to implement the application process of Somali family reunification. Furthermore the centre receives applicants in a customer-friendly environment that fully facilitates them.

The aim was multiple: solve operational problems and deliver better service and crowd control. Yet a centre involves high investment costs and there were questions on the possibilities such as biometrics and personal data. Therefore a feasibility study was conducted. The overall research question to be answered was:

Is it possible to establish a Shared Facility Centre in which different Member States that have a high caseload of Somali family reunification cooperate in an effective application process in Addis Ababa?

1.2. Results

The study confirmed that the embassies show a serious interest in cooperating in the field of family reunification of Somali applicants in Addis Ababa. The processes of the Member States are similar to a high extent. From the interviews it appeared that IOM would be the best option since they have expertise and experience in the requested services.

An SFC could lead to the following advantages:

- Provide better service to the applicants
  An SFC will be better equipped for handling the high numbers of applicants. The centre will provide the appropriate services for the applicants and create a more customer-friendly atmosphere.

- Working efficient with changing caseloads
  When the caseload shifts from one country to another an SFC has the opportunity to cope with it because the total caseload remains more or less the same. Because of the high caseload that various Member States experience, it is possible to gain the necessary knowledge for an SFC in the procedures to standardize the process. Furthermore, it is likely that the long-term costs will be reduced for the back offices of the participating Member States.

- Sharing Services and Expertise
  Member States use various similar process steps, such as DNA-tests, interviews and age assessments. In an SFC these processes could be offered to the participating Member States and can create a centre of expertise.

- Final Departure to the Country of Destination
  A solution to ensure that the person that received a positive decision upon the family reunification application is travelling with the right documents to the right country is so-called "guided travel". The IOM is already providing this kind of service to various countries. An SFC could provide this service.

- Cultural Orientation Courses
  An SFC could provide cultural orientation courses for applicants that received a positive decision on the family reunification application. Both Sweden and the Netherlands have already provided these courses in the past.

Nevertheless, due to rules and regulations the following issues cannot be solved by a Shared Facility Centre:

- Operational Issue - Determining Identity
  The assumption is that some applicants file multiple applications at the various embassies in Addis Ababa. Although applicants with family members in various European states could have a legal right to do so there is no sharing of information between embassies with respect to these applications. With regard to possible fraud, embassies consider this as a serious shortcoming in the current situation. The experience of the existing Common Application Centres is that 'one gate' reduces this phenomenon. The study shows however that international laws and national laws of the Member States hinder the sharing of biometrics and personal data that could give more insight in this operational issue.

- Operational Issue - Common Identity Registration
  All embassies experience problems in establishing the identity of an applicant because of the non-existence of (reliable) identity documents. Although a common registration form at an SFC could be helpful to this regard, the real solution for this operational problem would be a common biometric database. However, as stated above, international laws and national laws of the Member States hinder the sharing of biometrics and personal data. However, it cannot be ruled out that the fact that several European countries cooperate in one centre has a deterrent effect.

1.3. Recommendations

The study leads to the following recommendations:

1. *Explore (financial) preparedness of Member States to participate in an SFC and lobby at EU-level for funding for a Shared Facility Centre*
   The conclusions show that an SFC in this stage could already solve some operational problems and could improve services and facilities. Therefore, although the impossibility of sharing biometrics and personal data between Member States won't be able to establish a more effective identity management, it is advisable to explore the (financial) preparedness of Member States to participate in an SFC and to lobby at EU-level for funding an SFC.

2. *Closer cooperation in the field of family reunification process in Addis Ababa*
   Suggested forms are: explore the possibilities to jointly register who applies for family reunifications (e.g. only by the numbers of the Somali passports) or rejected applications, a shared interpreters pool, combine DNA-sampling, share information about the country of origin and jointly prepare the applicants for integration.

3. *Placement of a Common Immigration Advisor*
   A further investigation of the different issues and suspected fraud is advised since there are suspicions and signals on fraud and misuse but little hard evidence. This could be done in the form of a temporary placement of a (senior) migration advisor that works on behalf of various EU Member States. EU- at EU–level adjustment of EU-VIS

4. *Discuss at EU–level adjustment of EU-VIS*
   Long term visa applicants receive travel documents (passport, residence permit, laissez-passer or a passport with a D-visa) from the EU embassies. Applicants may enter the Schengen area with these documents and in most cases have the right to travel in the Schengen area (circulation right). Therefore, these applicants have the possibility to enter another Schengen country, where they could apply for a residence permit (e.g. asylum), without the possibility for the Schengen country to check whether the applicant is in the

possession of a long term visa for another Schengen country. By registering this group in EU-VIS, it would be possible to have an insight in this phenomenon on EU level. However, the European Commission already argued that the EU does not have power in the area of long stay visa. Nevertheless, from an operational level it could solve the mentioned problems faced in Addis Ababa. Another option could be to investigate the possibility to withhold the circulation right on a D-visa.

2. General Introduction

This report is the result of a feasibility study on an effective family reunification process in Addis Ababa of Somali applicants. In 2010, the wish and need to (further) improve the process of Somali family reunification was the reason for Norway, Sweden, Finland and the Netherlands to request IOM to write a proposal for a Shared Facility Centre (SFC - see the below definition of an SFC). The aim was multiple: solve operational problems and deliver better service and crowd control. The proposal was presented, but due to the high investment costs and some remaining open questions on the possibilities such as biometrics, the centre was not developed. In 2011, the subject returned on the agenda of the GDISC Managed Migration Meeting. Member States continued to face the same problems. However, a simple solution proved to be impossible. After this meeting the assumption was made that a common centre that facilitates all Somali family reunification applications might be a solution to the problems that the Member States are facing and that could not be met with the current actions. Therefore a feasibility study was developed. The study has been conducted by the Dutch government at the request of the Ministry of Security and Justice, Directorate Migration Policy, in cooperation with the Finnish government.

> **Important Reading Note**
> During the study various interviews have been conducted. Together with a questionnaire they formed the research material for this report. Sometimes, interviewed delegations expressed their opinion or gave advice on what they thought would be best or most effective. Please note that these interviews do not always reflect the official position of Member States. During the study, the project team experienced that it was very difficult to gather official positions due to the lack of a complete and shared image of an SFC. We recommend that this report should be used by Member States to develop an official position whether or not to develop a Shared Facility Centre.

2.1. Research question

After various discussions between Member States the possible establishment of a Shared Facility Centre (SFC) in Addis Ababa was seen as a solution for the many problems faced. A Shared Facility Centre is:

A centre in which EU member states cooperate. The centre provides a large range of facilities (for example DNA, Biometrics, interview rooms, information desk etc) that countries can use to implement the application process of Somali family reunification. Furthermore the centre receives applicants in a customer-friendly environment that fully facilitates them.

The aim of this feasibility study is to give an overview of the feasibility and related issues of developing a Shared Facility Centre for Somali family reunification cases. The project was conducted from November 2012 to September 2013.

The overall research question is:

Is it possible to establish a Shared Facility Centre in which different Member States that have a high caseload of Somali family reunification cooperate in an effective application process in Addis Ababa?

This overall research question is divided into four sub-questions:

1. What are the demands and requests of the various Member States when it comes to the goals of - and services provided by - an SFC?
2. What are the similarities and differences of the Member States when it comes to the processes on family reunification applications?
3. What are the rules and regulations when it comes to the processes on family reunification applications?
4. What are the various options when it comes to the coordination and practical issues of an SFC?

2.2. Background

In 2010 the initiative was taken by Finland, Sweden, Norway and the Netherlands to explore issues they faced in Addis Ababa concerning Somali family reunification. Member States experienced the below-mentioned challenges:

- The high caseload of Somali-applicants combined with the difficulty for the individual countries to adequately act on changes to caseload.
- The possible existence of a 'waterbed effect', which means that the caseload within a country can vary, but the overall caseload of all Member States will be stable.
- The challenges of Member States to facilitate the applicants in a customer-friendly process.
- The current operational problems that Member States face.

1. *The caseload of Somali applicants combined with the difficulty for the individual countries to adequately act on changes to caseload*
   European Member States were - and still are - faced with a high caseload of Somali family reunification applicants. The numbers of Somali family reunification cases to be processed by Member States have, in recent years, augmented in such a way that several Members States have taken different actions to better manage the high caseload. Hence, Member States are forced to spend great deals of time on administrative matters. A problem for every embassy is the space that is needed to execute the process in an efficient way. Rooms are necessary that give applicants some privacy because of DNA sampling, the collection of biometrics and taking interviews. These rooms are not always available in the quantity that is needed. Furthermore the rooms that are needed per country can vary because of the variations in caseload.

Year	Finland[1]		Sweden		Netherlands		Norway[2]		Austria		Total	
	overall	Addis	Overall	Addis	Overall	Addis	Overall	Addis	Overall	Addis	Overall	Addis
2010	3986	600	11344	7897	3200	1200	1993	1014	50	43	20573	10754
2011	1918	1200	7734	3315	2600	2160	2011	1348	72	38	14335	8061
2012	551	1200	10226	8639	2000	1600	3516	1712	52	49	16345	12200

Caseload for Somali family reunification applications (for an explanation, see appendix 1)

2. *The possible existence of the so called 'waterbed effect'*
   During a GDISC meeting in 2010, the persons present stated that there might be a 'waterbed effect' which means that the caseload within a country can vary, but the overall EU caseload is stable. In the last years there seems to be a caseload of Somali family reunifications which shifts from one Member State to another Member State. New rules or regulations in one country can diminish the caseload in that country but could possibly lead to an increase in another country. If so, cooperation between the various Member States might solve the problems that Member States face when this occurs.

3. *The challenges of Member States to facilitate the applicants in a customer-friendly process*
   Applicants gather before the embassies to hand in their application forms, which causes queues. This is disturbing and inconvenient for applicants; they have to wait in line, at some embassies they have to wait outside and at some embassies the waiting times are long. Moreover, different interviewed delegations of Member States indicate that a high percentage of Somali applicants are illiterate and do sometimes not fully understand the visa application and decision-making process. This can lead to incomplete applications or erroneously filled in application forms, which are slowing the decision-making process. This is inconvenient for the applicants and the Member States involved.

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[1] The reason for higher numbers of processed applications in 2012 in Addis compared to the number of applications is that Finland has a huge backlog from previous years. There are still several thousands of cases to be interviewed in Addis Ababa. This is the situation even when the Finnish Aliens Act provides that the decision should be given within 9 months.

[2] The number accounts for the number of applications received by UDI during the given year, and does not necessarily reflect when the application was submitted at the embassy. This is due to the fact that at some embassies (among them the embassy in Addis Ababa) applicants must wait a period of time before interview is taken. Therefore the application is not necessarily sent and received by UDI immediately after it has been submitted, but at some period of time later which might be up to six months after the application was submitted. Due to lack of staff at the embassy in Addis Ababa during these years, interviews have not been done for long periods of time. However, additional staff was given for a period in 2012, which might explain the huge number of applications received by UDI that year. These circumstances imply that the overall number of applications submitted does not correlate exactly to the number of applications submitted in Addis Ababa.

4. *The current operational problems that Member States face.*
   All countries face operational problems when dealing with Somali family reunification applications. These problems are identified as:

- *Determine Identity*
  Because of the non-existence of (reliable) identity documents all embassies are experiencing problems in establishing the identity of an applicant. The lack of documents leads to extensive and costly procedures to ensure the identity and the existence of the family tie. This also makes the procedure more vulnerable for fraud. All interviewed delegations of the embassy state that the non-existence of (reliable) documents is of great concern because in their experience this accumulates to the (assumed) existence of the following issues:

Multiple Applications	This increases the caseload of all embassies. All delegations mention cases in which applicants admitted themselves that they actually had applied for family reunification at other embassies as well. The exact numbers are difficult to present since the forms range and there is no common administration on this.
Identity Determination and Age Fraud	All embassies are experiencing problems in establishing the identity of an applicant because of the non-existence of (reliable) identity documents. Furthermore, the interviewed delegations also stated that because of the lack of recognized Somali documents it's very difficult at this moment to detect cases of suspected age fraud
Document Fraud	As described above, there are many documents that are suspected to be fraudulent, like marriage certificates, birth certificates and passports.
Claimed Existence of a Family Bond	All countries face problems with persons claiming to belong to a sponsor's family (claimed foster children, sham marriages or marriages of convenience), but after an interview – or sometimes only after some basic questions – it turns out it is not likely that they belong to the sponsor's family.
The (mis)use of Managed Migration Possibilities.	Various interviewed delegations of the embassies mention that a number of family reunification applicants who received a positive decision on their family reunification application – disappear after the decision and never announce themselves at the Immigration Service in the Member State. The exact number is unknown, due to the fact that this hasn't been registered consistently. There are clear signs that applicants who are granted a visa or a resident permit use these legal ways to enter the European Union. After entering the European Union it is possible to change the country of destination and apply for asylum in another country. The introduction of EU-VIS has already proven this misuse of managed migration possibilities. In Sweden almost two thousand cases of asylum seekers who have entered the EU with a visa but apply for asylum claiming to be without any documents have been detected.

- *Lack of sharing personal data, expertise and information*
  Member States use similar process steps, such as DNA-tests, interviews and age assessments. Member States have experiences with:

Knowledge	Information, investigation methods and expertise are not commonly shared between countries. For example, the Netherlands embassy has a large amount of information on Somalia which enables the employees to check the statements about the place of origin of applicants.
Interpreters	All countries use the same well-trained interpreters. For some languages, accents and dialects some embassies currently have no (trained) interpreters available.
DNA sampling	Most embassies conduct DNA sampling. They indicate that the 'core tasks' of an embassy are not in this field, so 'outsourcing' would lower the burden for an embassy.
Age assessments and Language Analysis	Some interviewed delegations of embassies confirmed that they conduct age assessment and medical age testing to estimate an applicant's age. Also the instrument of language analysis is sometimes used.
Biometrics	Several embassies collect biometrics at the embassies.

The Member States that are present in Addis Ababa are already working together in an attempt to tackle problems together. Meetings are organized, though not consistently, to exchange information and discuss problems. However, the experience and expertise of each Member States are not shared on a structural level.

2.3. Project set up of the Feasibility Study

The Feasibility Study ran from November 2012 to July 2013. During the Study various experts worked on the research. The following actions have been conducted: desk research, various meetings with experts on biometrics, processes, Somali family reunification, assessment mission in Addis Ababa (November 2012), a mission to Kinshasa to investigate the lessons learned of a CAC (March 2013), a questionnaire on the applicable legislation of the Member States, a mission to Addis Ababa with the Netherlands and Finland (May 2013). All information was finally combined and conclusions were deducted.

3. Demands and Requests

During the interviews the delegations of the embassies gave their demands and requests for the services provided by a possible SFC. These demands and requests together with the experiences of *Maison Schengen* in Kinshasa present "an ideal picture" of a possible Shared Facility Centre. Below, a description of these services is given, divided by subcategories based on the four main reasons for this study (see general introduction).

3.1. High caseload

One of the main problems for every individual embassy is the difficulty to immediately respond to changes in caseload. The equipment when it comes to staff, rooms and other facilities all need several months to be adapted when changes must be made. When the caseload shifts from one country to another an SFC has the opportunity to cope with this because the total caseload remains more or less the same and the centre therefore has the required facilities.

Furthermore, because of the high caseload that various Member States experience, it is possible to quickly gain the necessary knowledge in the procedures to standardize the process for an SFC. This could result in a very efficient process for all Member States that participate in the SFC. An example is the collection of biometrics in the *Maison Schengen* in Kinshasa, which now only takes 67 seconds. This time was reduced within one year by 20%.

Most embassies indicate that the 'core tasks' of an embassy are not in this field, so 'outsourcing' would lower the burden for an embassy. The task and caseload of the embassies of the participating Member States can possibly be reduced to a small back office for administration and contact with the national Immigration Services. This could also save costs.

3.2. Customer-Friendly Process

Because an SFC would only be oriented on facilitating the long-term visa applications for all participating countries it is possible to make the centre efficient but also much more equipped for handling the high numbers of applicants (waiting room, toilets etc.).

All countries express the wish to have a common pool of well-trained interpreters. For some languages, accents and dialects some embassies currently have no (trained) interpreters available. People at the desk should be able to speak at least Amharic and Somali, to facilitate the process. The centre could also help fill in the application forms: which could make applicants less dependent on unscrupulous visa brokers. The service would be better and faster. They could also receive information: folders, and cultural integration. The lack of space and long waiting queues could be tackled easily within an SFC, which could create a calmer place.

Also, because the SFC operates free from countries and doesn't make decisions, it can be viewed upon as more 'neutral', which according to the experiences of *Maison Schengen* in Kinshasa leads to a better atmosphere. An SFC operating as a front office, can carry out the steps in the process in a highly efficient and customer-friendly way. The applicants that receive a positive response can be helped with information on the next steps and receive cultural orientation forms so they are better prepared for their stay in the Netherlands. The Netherlands embassy performed a pilot in 2012 with IOM to prepare applicants for their first stay in the Netherlands. Sweden is currently working with a similar program.[3] The Netherlands embassy indicates that the project itself was well received by the authorities and applicants, although the number of applicants was low due to the high rejection rate at that time. Furthermore, an information desk and a single appointment system would be very important services, therefore a system needs to be created to schedule appointments in a smooth way.

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[3] At the moment of writing Sweden has a project for preparing integration, but this is only a pilot trial, and isn't given to continue.

3.3. Operational Issue - Determine Identity

As mentioned earlier the assumption is that some applicants file multiple applications at the various embassies in Addis Ababa. Although applicants with family members in various European states could have a legal right to do so there is no sharing of information between embassies with respect to these applications. With regard to possible fraud, embassies consider this as a serious shortcoming in the current situation.

The experience of the existing Common Application Centres is that 'one gate' reduces this phenomenon. When biometrics and previous applications are actively shared, 'one gate' will be able to detect (fraudulent) multiple applications. But, at this moment this is only possible with respect to short-term visa applications because of the introduction of EU-VIS. All interviewed delegations of the embassies agree that cooperation between countries ideally should include the exchange of personal data and biometrics.

In the framework of the Dublin II Regulation, the Eurodac Regulation, VIS, SIS II and other European legal instruments such as Prüm information is systematically shared with other Member States. In Addis Ababa information on policy and best practices is shared between the countries present. Currently the different EU biometric systems Eurodac, SIS II and VIS are not exchanging fingerprint information with each other automatically. EU has ordered a system called BMS (Biometric Matching System) to combine SIS, EU-VIS and Eurodac, so the technical ability is there. However, the legal structure to combine the information between systems is missing so far.

As stated earlier, because of the lack of recognized Somali documents it is impossible to establish the identity of the applicant. Therefore all interviewed delegations of the embassies agree that a common way of registration of the identity of every applicant is one of the main advantages of an SFC. Apart from registration, verification of the identity of an applicant is also very important.

Therefore the interviewed delegations stated that an SFC will have added value if it is possible in an SFC to:
1. Register all applicants jointly.
2. Gather and store biometrics of all applicants jointly;
3. Exchange personal data (including biometrics) with other countries.

3.4. Operational Issue - Sharing Information

Investigating the asserted place of origin of an applicant requires a lot of expertise. This expertise is now built by every country for itself or not done at all. The Netherlands embassy and the Netherlands Immigration and Naturalisation Service have an expertise in the field of investigating the statements of applicants. This expertise becomes available for all countries when cooperating in an SFC. All interviewed delegations of the embassies would like to cooperate more closely in this field. Sharing interviewing techniques could be one of the solutions as well.

Some interviewed delegations of embassies confirmed that there is a need to conduct age testing to estimate an applicant's age. An SFC could also facilitate the age testing. In Kinshasa there are some experiences with age testing (X-ray wrist, teeth and physical conclusion). Especially Norway and Austria prioritise this and claim that this would be one of the main advantages of an SFC. Also language analysis could be offered by the SFC.

Furthermore, some Member States use documents such as marriage certificate to determine family ties. An SFC can create its own database on fraudulent documents and genuine documents. If there will be a professional document expert, applicants might be hastier to hand over fraudulent documents. It could have a deterrent effect.

A possible solution to ensure that the person that received a positive decision on the family reunification application is travelling with the right documents to the right country is so-called "guided travel". An SFC could provide this service. IOM is already providing this kind of service to various countries. For family reunification cases travelling under IOM auspices, the following procedure is followed to facilitate their movement:
- Original visa or travel document is sent to the IOM by the embassy of the receiving country.
- IOM sends the documents to the department of Immigration where they apply for an exit permit

- Family reunification cases arrive at the IOM office and get transportation to the airport.
- At the airport they proceed with all regular procedures for an international departure (check-in, customs, immigration, and other formalities).

3.5. Conclusions

When effectively cooperating in an SFC, a minimum of two Member States should participate to accomplish any form of synergy. All interviewed delegations of the embassies indicated that no matter how many more countries join in, an SFC would be of great added value. All interviewed delegations of the embassies however agreed that the more countries join in, the better the effect would be. In this SFC, the interviewed delegations of the embassies could choose the desired facilities (a 'package'). The below-mentioned matrix shows an overview of the demands, requests and facilities mentioned by the stakeholders per country, which indicates what a package could include:

Fields of Cooperation	FI	NL	SE	NO	AT
Common identity management	√	√		√	√
Sharing personal data	√	√		√	√
Scheduling appointments	√	√	√		√
DNA sampling		√	√	√	√
Age assessments				√	√
Language analysis	√			√	
Interview space	√	√	√	√	√
Sharing information country of origin	√	√	√	√	√
Preparing for integration	√	√		√	
Guiding to EU (until registration)	√	√		√	

4. Current Processes

This chapter gives an overview of the similarities and differences in the processes of the various countries. The comparison is only made on the process of family reunification applications. The rules and regulations related to these issues are compared in the next chapter. An extensive description of the processes can be found in appendix 2 (in this appendix the policy on family reunification is also included).

The following processes are compared:
- Application
- Biometrics
- DNA
- Interview
- Age and language testing
- ICT

4.1. Application
Comparison of the process of how an application should be filed to the national authority.

Filing Application	
SWE	In person at a Swedish diplomatic post or electronically
NL	In person at a Dutch diplomatic post in the country of origin/continuous residence or by the sponsor in the Netherlands
FIN	In person at a Finnish diplomatic post
AT	In person at the Austrian diplomatic post
NO	In person at the Norwegian diplomatic post, but mainly electronically by the sponsor in Norway

4.2. Biometrics
Comparison of the way in which biometrics (meaning facial image, two or ten fingers and if applicable an autograph) is gathered, used and stored.

Biometrics	
SWE	Collected at the embassy, only in a chip on the residence permit.
NL	Collected two fingerprints and a facial image at the embassy (Starting at the end of 2013), only in a chip integrated in the residence permit
FIN	Collected in Finland, put on the residence permit
AT	Collected at the embassy, put on the residence permit
NO	Collected in Norway, put on the residence permit

4.3. DNA
Comparison of the process of DNA sampling.

DNA (DNA-sampling is done at the embassy, the investigation is done in the homeland)	
SWE	DNA testing for the members of a nuclear family at embassy
NL	Only DNA testing for the members of a nuclear family at embassy, no testing for other family members
FIN	DNA testing for the members of a nuclear family when interview supports alleged family life
AT	DNA testing is done at embassy (whenever there are doubts that someone is a biological family member)
NO	DNA testing on applicants with common children at embassy and DNA testing to ascertain that alleged spouses without common children are not instead siblings

4.4. Interviews

Comparison in case interviews of the applicants are part of the process.

Interviews	
SWE	Interviews are used
NL	Only foster children, spouses without children, biological children over 18, biological children with only one parent, and suspected fraudulent cases are interviewed
FIN	Interviews are used to establish family ties
AT	Interviews are used to establish family ties
NO	Interviews are used to establish family ties

4.5. Age and language testing

Comparison on the subject of age assessments or medical age testing, and on the subject of language testing.

Age and Language Testing	
SWE	No medical age testing or language testing
NL	No medical age testing or language testing, though age assessment is used
FIN	Seldom using medical age testing, sometimes language testing is done (the recording is made in Addis Ababa and sent to Finland is done
AT	Medical age testing and age assessments is used, no language testing
NO	Medical age testing is sometimes used

4.6. Conclusions

As the information above shows there are some clear similarities and differences when it comes to the application processes for family reunification. The embassies in Addis Ababa use mainly the same instruments to determine if an applicant is eligible for family reunification, like DNA-testing, interviews and possibly age testing. Nevertheless this study also shows that the ways in which embassies handle these instruments differ to a certain extent. For example an application can be filed at the premises of all mentioned embassies. Three Member States however have the additional possibility for the host to file an application. In addition, some of the countries also have the option for filing electronically. When it comes to the use of biometrics there are also some obvious differences. Although all countries gather biometrics as an instrument, not all countries store these biometrics in a database. Also all embassies use interviews, the applicants that are interviewed and the ways in which the interviews are conducted differ. Finally, medical age and language testing is not often used among the various applications processes.

5. Rules and regulations

The purpose of this chapter is to give an indication of the rules and regulations that might interfere with the establishment of an SFC. For the readability of this document the exact texts of the laws are left out.

5.1. Council Directive 2003/86/EC on the right to family reunification

Although the policy on family reunification is still national, it is based on the EU Council Directive of 22 September 2003 on the right of family reunification. The aim of this Directive is to establish common rules of law relating to the right to family reunification. The intention is to enable family members of third-country nationals residing lawfully on the territory of the EU to join them in the Member State in which they are residing. Based on the Directive the conditions for family reunification for refugees are more favourable. Although this EU Directive harmonized the national policies on family reunification to a great extent, there are still conflicting national rules and regulations which could affect a possible SFC. Also important to mention is the fact that the EU lacks a (biometric) database for family reunification (as a EURODAC has been developed for asylum).

5.2. National legislation, rules and regulations

Filing application by the applicant	
SWE	Application can be submitted online or is made in person at the Swedish embassy, no fee if spouse in Sweden is granted asylum
NL	Application must be made in person at the Dutch embassy in the country of origin/continuous residence, no fee
FIN	Application must be made in person at the Finnish embassy, received by a Finnish national, no fee
AT	Application must be made in person at the Austrian embassy, no fee
NOR	Application must be made in person at the Norwegian Embassy, fee must be paid

Filing application by the sponsor	
SWE	Possible to file electronically (preferred)
NL	Possible to file in writing to INS
FIN	Since 2012 it is not possible anymore
AT	Not possible
NO	Sponsor files application electronically to system UDI (preferred)

DNA-sampling	
SWE	No specific conditions (conducted by staff at the embassy)
NL	No specific conditions, nevertheless in the current situation a nurse is collecting the samples
FIN	A Finnish national must oversee sampling made by a nurse or doctor
AT	Representative of the embassy must be present during sampling
NO	Norwegian national or representative embassy (can be local staff) must be present during sampling

Biometrics	
SWE	No specific conditions, 2 fingers + facial image, no storage in a database.
NL	Only employees (including local staff) of MFA and INS can conduct two fingers and facial image storage on the residence permit. No storage in a database
FIN	Only police or border control, in Finland, storage in database
AT	10 fingers
NO	2 fingers, facial image, done in Norway by police, no storage in a database. Collection at a embassy is legally possible, but not done.

Interview (At this moment – mid 2013) all countries use their own nationals to conduct the interviews. In most of the countries this is common practice instead of stipulated by law.	
SWE	No specific conditions
NL	Must be done by a Dutch national official, highly educated
FIN	No specific conditions
AT	No legal requirements, some guidelines
NO	No legal requirements, some guidelines

Sharing personal data	
SWE	Privacy law is restrictive, sharing in a broad sense prohibited (biometrics impossible because of lack of storage)
NL	Privacy law is restrictive, sharing in a broad sense prohibited
FIN	Sharing might be possible with due regard to provisions when it concerns identification
AT	Privacy law is restrictive, sharing in a broad sense prohibited
NO	Privacy law makes sharing personal data not possible / allowed basically. In case of outsourcing or representation these regulations have not been considered to prevent this.

EU-VIS
It is important to mention that according to the European Commission, the EU does not have power in the area of long stay visa (D-visa). This is the reason why the VIS regulation did not include the 'D-visa' with a circulation right. The Spanish chairmanship concluded the following: "The Council invites the Commission to study the possible use of biometric identifiers with respect to long stay visas and to present the results of this study to the European Parliament and the Council by December 2011". At the moment of writing it is unknown if this study has been conducted.

5.3. Conclusions

Forms of cooperation that are not blocked by rules and regulations:

- *Filing an application*
  The regulation that obliges an applicant to file his or her application at an embassy could block the possibility to do it at an SFC; the possibility for a host to apply (which is the case for three out of five countries) will exempt the applicant from going to an embassy.

- *DNA-sampling*
  Although various countries have rules on DNA-sampling, these rules state nothing about the premises where the sampling is done. Therefore DNA sampling can be done at an SFC.

- *Interviews*
  Because none of the countries have rules on the premises where the interviews have to take place, these interviews can be held in an SFC.

- *Working together in one centre*
  Although certain steps in the process have to be executed by national officials, this does not mean that the national official must be present at his own embassy of diplomatic post. These steps in the process can be done at an SFC as well.

Forms of cooperation that are hindered by rules and regulations[4]:

- *Sharing biometrics and personal data*
  When using biometrics two possibilities can be identified. First there is the possibility to collect biometrics at the SFC itself (own AFIS[5]). In that case the biometrics are stored in a local database that can only be accessed by the SFC. The first scenario gives the SFC the possibility to verify the personal data of an applicant. If necessary (e.g. demanded by law) biometrics can be collected again for a participating Member State at the embassy or at the SFC. The other possibility is that the SFC collects the biometrics only for a participating Member State and does not store the biometrics in a shared database (no own AFIS). In this second scenario the SFC cannot verify the personal data of an applicant. Only when the first scenario is used it is possible for the SFC to detect cases of multiple applications by various Member States of one applicant. This possibility is relevant for tackling the operational problems on identity management. If the SFC would store the biometrics and scan new applications using biometrics to see if the applicant has applied in the past, it would mean that a structural exchange of biometrics between the participating countries has to be possible. However, the national legal frameworks of the different Member States (Netherlands, Austria, Norway, Sweden, Finland), currently do not provide for this. All countries have strict rules and regulations on the sharing of personal data of the applicant. This makes it impossible at this moment to share personal data on a structural basis between the Member States. It will depend on national politics if Member States will be willing in the future to harmonize their rules and regulations within this field.

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[4] Block at this moment in time considering the present rules and regulations (mid 2013)
[5] AFIS, Automated Fingerprint Information System

6. Coordination of Shared Facility Centre

This chapter describes the coordination and practical issues of a Shared Facility Centre (SFC). First an overview is given of advantages and disadvantages of the various options on the coordination of an SFC managed by a Member State or managed by a third party, like the International Organisation for Migration (IOM). This chapter on coordination is included since the interviewed delegations emphasized this as one of the most important elements to discuss.

With regard to the coordination of an SFC there are two options:
1. An SFC managed by a third party, like the IOM or VFS.
2. An SFC managed by a Member State.

This paragraph discusses the advantages and disadvantages in more detail.

6.1. Coordination by a third party

During the interviews most interviewed delegations of the embassies emphasized that an SFC managed by a third party would be the most realistic option. This is mainly the result of the fact that there is not much support for the option of an SFC managed by a Member State. The main reason for this – as mentioned by the interviewed delegations – is that it is not very likely that any Member State is willing to take the lead and manage an SFC. For this reason this is the first option which will be elaborated with regard to advantages and disadvantages.

Furthermore outsourcing to an organization like VFS is also not a reasonable option because of the incapability of this organization to provide services like DNA-sampling and fingerprints. Also VFS doesn't have any expertise when it comes to family reunification. In addition, because it is a private company, this could limit the juridical possibilities of cooperating with VFS. Therefore, the advantages and disadvantages of IOM as a coordination entity will be discussed below.

Advantages:

- *Expertise*
  IOM has lot of experiences with effective application processes and providing different services. They possess great expertise in the relevant elements: fast administrative processes, crowd control, DNA-sampling, medical analysis, cultural orientation courses and other client services.[6]

- *Contract*
  The agreements between the organization and the Member States are formalized in a contract. This includes the tasks and responsibilities for these tasks.

- *Division of costs*
  Given the fact that Member States have different numbers of applicants, a cost division should be made on the basis of ratio of applicants. A third party could facilitate this division.

- *Package of services*
  Closely related to the division of costs is the use of services. An SFC could - besides the standard administrative process - deliver various services such as DNA-sampling, medical analyses, interview rooms, cultural orientation courses, guidance on travelling to a Member State. Based on the wishes and demands of the Member State, the Member State can choose which services it wishes to use.

- *Stepping in – stepping out*
  Member States experience increases and decreases in the amount of applications (mostly due to changes in policies). An SFC managed by a third party enables Member States to – more easily – step in or out the SFC.

- *Embassy can focus on core tasks*
  Member States indicate that the process of family reunification demands a lot of the embassy. A benefit of outsourcing is that the embassy can focus on its core tasks.

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[6] See appendix 3 for an overview of the project proposal IOM has written on a Shared Facility Centre.

- *Employees at the embassies*
  Most probably outsourcing will also mean a decrease in (local) consular personnel at the embassy, because of the outsourcing of administrative consular tasks.

- *Network*
  When it comes to the IOM, the organization has a good relation with the Ethiopian government and has – to a certain extent - access to the airport. This could be necessary with respect to the above-mentioned service of "guided travel". Furthermore the good reputation of the organization could help generating more support for an SFC.

Disadvantages:

- *Costs*
  Although an experienced third party like IOM could operate an SFC in a cost efficient way the total costs for the Member States will be very visible and direct. This could be an advantage because Member States will be more aware of the total costs, but on the other hand this visibility could also create a barrier for Member States.

- *Sharing information*
  The assumption was made that the sharing of information between Member States could possibly be less if the management of an SFC is outsourced to a third party.

6.2. Coordination by an EU Member State

The second option with regard to the coordination of an SFC is managed by a Member State. Although one can think of various options within this category, the focus in this subparagraph will be mainly on one Member State who will take the lead.

Advantages:

- *Sharing of expertise*
  Because one of the Member States is hosting and coordinating an SFC it is possible to share the expertise between the various countries.

- *Possibility for representation*
  If one of the Member States is coordinating the centre it might be possible or legally possible to represent other Member States. Hereby a Member State can also only facilitate a certain part of the procedure for another Member State.

- *Location*
  If one of the Member States hosts the SFC on its premises it is assumed that this does not require prior consent of the Ethiopian government. Furthermore when using the present premises of a Member State some basic needs (safety, ICT possibilities etc) are already met.

Disadvantages:

- *Coordination*
  Most probably no Member State would prefer to be the main coordinator of this centre and will take the lead. This is assumed because Member States experience increases and decreases in family reunification applications. Therefore it is a very big risk for a Member State to be the coordinating entity.

- *Expertise of process*
  An SFC would ideally offer various services such as DNA sampling, medical research and document expertise. The embassies are not specialised in these processes.

- *Complex personnel organization*
  An SFC would involve local personnel with routine tasks. A manager of a Member State should always be present. It might cause difficulties to put the entire local staff of the SFC on the payroll of one leading Member State. Other options with regard to employees of Member States will require a complex personnel organization.

6.3. Costs of an SFC

Closely related to the coordination of an SFC, are the costs. During this study it became clear that it would be impossible to make a complete overview of costs at this stage. The main reason is that the exact costs will depend on the various options with regard to an SFC. In this case the above-mentioned proposal of IOM is used to give a rough estimation of the costs involved in an SFC. When an SFC is placed on the premises of one of the participating Member States, the building costs (and costs of adjusting the premises to a higher number of visitors per day) must be added to the cost as estimated by IOM (see Appendix 3 – The IOM proposal). Depending on the choices that must be made before opening an SFC there are several possibilities on sharing the costs:

1. A fixed price per applicant. The IOM charges €28 per applicant.
2. A fixed price per facility that is being used by the Member State (e.g. rooms, counter, collecting biometrics).
3. Sharing the costs on the basis of a percentage of the overall costs. This can be based on the percentage of the total number of applicants per country.

6.4. Conclusions

An SFC managed by a Member State has clear advantages; nevertheless the interviewed embassies showed little support for this option. The main reason for this was the fact that it is not very likely that any Member State is willing to take the lead to manage an SFC. Besides the fact that this could be based on the possible fluctuations in the future with regard to the total amount of Somali applicants in Addis Ababa - which would make investments risky - it is also the result of the argument that embassies don't consider themselves as experts with regard to these services. Therefore, it can be concluded that an SFC managed by the IOM is the only option which could be taken into serious consideration. IOM is capable of delivering high service on demand and adjust to the various demands of the Member States. An advantage of cooperating with IOM is that agreements are clearly set in a contract including division of costs.

Although an SFC managed by IOM seems to be the only option there are some serious downsides which have to be taken into account with respect to this scenario. The most important issue are the possible difficulties with regard to biometrics and personal data. This will be further discussed in the following chapter.

7. Conclusions and Recommendations

This chapter presents the general conclusions about the feasibility of a Shared Facility Centre (SFC). First, the identified risks that a shared facility centre can face will be outlined, followed by the conclusions to the main- and sub questions:

"Is it possible to establish a Shared Facility Centre in which different Member States that have a high caseload of Somali family reunification cooperate in an effective application process in Addis Ababa?"

1. What are the demands and requests of the various Member States when it comes to the goals of - and services provided by - an SFC?
2. What are the similarities and differences of the Member States when it comes to the processes on family reunification applications?
3. What are the rules and regulations when it comes to the processes on family reunification applications?
4. What are the various options when it comes to the coordination and practical issues of an SFC?

7.1. Risks that a Shared Facility Centre can face

The development of an SFC is a long-term investment. Even more given the fact that an SFC in which Member States cooperate together in the field of family reunification process would be the first in the world. Innovation comes with uncertainties and risks. Based on the interviews that were conducted during this study, a few of the possible risks that an SFC can face are:

- *A possible decrease in applicants*
  The political and security situation in Somalia is linked to the number of asylum applications, to the asylum policy of the different Member States and to the decisions of asylum residence applications. Only after a positive decision on an asylum residence application can family reunification applications be filed. Therefore a future positive change in the political situation and/or the security situation can have an effect on (the daily operation of) an SFC. Already some Member States are experiencing a decrease in Somali family reunification applications.

- *A possible shift of applicants from Ethiopia to other countries*
  Already a large group of Somali applicants apply for family reunification in Nairobi (Kenya). A possible shifting migration flow from Ethiopia to other countries (e.g. because of the security situation, border control, changing Ethiopian law or regulations) could have an effect on (the daily operation of) an SFC.

- *Political changes in Member States*
  The participation in a Shared Facility Centre is partly a political choice. A change in the political situation of a Member State can have an effect on the choice to participate in an SFC. When an MS wishes to step out of the SFC, this could have an effect on the remaining participating Member States.

7.2. Sub conclusions of the feasibility of a Shared Facility Centre

Sub question 1	What are the demands and requests of the various Member States when it comes to the goals of - and services provided by - an SFC?
The interviewed embassies (Finland, Sweden, Norway, Austria and the Netherlands) all showed willingness to cooperate. Below an overview is given of the fields of cooperation. When effectively cooperating in an SFC, a minimum of two Member States should participate in order to accomplish any form of synergy. All interviewed countries indicated that no matter how many more countries join in, an SFC would be of great added value (sharing expertise, tackling operational problems and possible cost reductions). All interviewed countries however agreed that the more countries join in, the better the effect would be. In this SFC, the participating Member States could choose the desired facilities (a 'package') they wish to use.	

Fields of Cooperation	FI	NL	SE	NO	AT
Common identity management	√	√		√	√
Sharing personal data	√	√		√	√
Scheduling appointments for embassy	√	√	√		√
DNA sampling		√	√	√	√
Age assessments				√	√
Language analysis	√			√	
Interview space	√	√	√	√	√
Sharing information country of origin	√	√	√	√	√
Preparing for integration	√	√		√	
Guiding to EU (until registration)	√	√		√	

Sub question 2	What are the similarities and differences of the Member States when it comes to the processes on family reunification applications?
The Member States in Addis Ababa mainly use the same steps to determine if an applicant is eligible for family reunification (e.g. capturing biometrics, DNA-sampling and conducting interviews). There are some differences in how Member States carry out these steps. Yet these minor differences do not block further cooperation. For example, a difference can be seen in the use of the premises for filing an application. Three countries have - besides the possibility to file an application at the embassy - the option for the host to file an application in the country of his or her residence. In addition some of the countries also have the option to electronically file an application. This does not exclude a common desk for filing.	

Sub question 3	What are the rules and regulations when it comes to the processes on family reunification applications?

Various elements of the legal framework have been researched. Most forms of cooperation are not hindered by the current rules and regulations: scheduling appointments for embassy, DNA-sampling, age assessments, language analysis, interview space, sharing information country of origin, preparing for integration, guiding to EU (until registration). Beforehand, it was assumed that some rules and regulations (sharing biometrics and sharing personal data) would block some forms of cooperation. The study confirms these assumptions. These two issues hinder cooperation in the field of common identity management and sharing personal data.

Issue 1: Biometrics
Member States can share biometrics between the various national governmental organizations. They can however not share biometrics with other countries or third parties (breach of confidentiality can apply but only under very strict circumstances and on specific cases). Thus, the rules and regulations of the different Member States currently disable the intra-national sharing of biometrics. Another issue is that not all Member States store biometrics after the decision is made.

Issue 2: Sharing Personal Data
All countries have strict rules and regulations on the sharing of personal data of the applicant. This makes it impossible to share personal data on a structural basis between the Member States.

Sub question 4	What are the various options when it comes to the coordination and practical issues of an SFC?

There are two serious options when it comes to the organisational structure of an SFC: an SFC managed by a Member State or an SFC managed by IOM. Although an SFC managed by a Member State has some clear advantages (sharing of expertise, possibility for representation and location) there seems little support for this option. The main reason for this was the fact that it is not very likely that any Member State is willing to take the lead and manage an SFC. Besides the fact that this could be based on the possible fluctuations in the future with regard to the total amount of Somali applicants in Addis Ababa, which would make investments risky. Whereas IOM already stated in the above-mentioned proposal that it is willing to provide these services. Another argument from the embassies is the fact they don't consider themselves as experts with regard to these services as an organisation as IOM. IOM has expertise and experience in the requested services. Other benefits of IOM are: a clear contract and agreements between IOM and participating Member States, an unambiguous division of costs per Member State calculated by IOM, easier stepping in and out of Member States, embassies can focus on core tasks and a possible decrease of personnel at the embassy.

7.3. Main conclusions to the feasibility of a Shared Facility Centre

The overall research question is:

Is it possible to establish a Shared Facility Centre in which different Member States that have a high caseload of Somali family reunification cooperate in an effective application process in Addis Ababa?

From the sub-questions it can be seen that the embassies show a serious interest in cooperating in the field of family reunification of Somali applicants. Nevertheless, during the study the project team experienced that it was very difficult to gather official positions (several attempts were made) due to the lack of a complete and shared image of an SFC. We recommend that this report should be used by Member States to develop an official position whether or not to develop a Shared Facility Centre.

The processes of the Member States are similar to a high extent. From the interviews it appeared that IOM would be the best option since they have expertise and experience with the requested services. If we take the main question into consideration we can conclude that cooperation in a Shared Facility Centre will lead to the following advantages:

Provide better service to the applicants	An SFC will be better equipped for handling the high numbers of applicants. The current lack of space and long waiting queues at the national embassies could be tackled easily. Furthermore, the centre will provide the appropriate service for the applicants and create a more customer-friendly atmosphere.

Working efficient with changing caseloads	When the caseload shifts from one country to another an SFC has the opportunity to cope with it because the total caseload remains more or less the same. The current overall caseload would mean approximately 52 applicants per day. Because of the high caseload that various Member States experience, it is possible to gain the necessary knowledge on the procedures to standardize the process. Furthermore, the tasks and caseload of the embassies of the participating Member States can be reduced. Therefore it is likely that the long-term costs will be reduced.
Sharing Services and Expertise	Member States use various similar process steps, such as DNA-tests, interviews and age assessments. In an SFC these processes could be offered to the participating Member States and can create a centre of expertise. A. Shared knowledge In an SFC Members States can share information and investigation methods and expertise. For example, the Netherlands embassy has a large amount of information on Somalia which enables the employees to check the statements about the place of origin of the applicant. B. Interpreters Pool All countries express the wish to have a common pool of well-trained interpreters. For some languages, accents and dialects some embassies currently have no (trained) interpreters available. C. DNA sampling A strong demand is the service on DNA-sampling. Most embassies indicate that the 'core tasks' of an embassy are not in this field, so 'outsourcing' would lower the burden for an embassy. This could also save costs. D. Age assessments and Language Analysis Some interviewed delegations of embassies confirmed there is a need to conduct age testing to estimate an applicant's age. This requires taking X-rays of the applicant. An SFC could also facilitate age-testing. Also language analysis could be offered by the SFC.
Final Departure to the Country of Destination	A solution to ensure that the person that received a positive decision on the family reunification application is travelling with the right documents to the right country is so-called "guided travel". The IOM is already providing this kind of service to various countries. A Shared Facility Centre can provide this service.
Cultural Orientation Courses	An SFC could provide cultural orientation courses for applicants that received a positive decision on the family reunification application. Both Sweden and the Netherlands already provided these courses in the past.

Nevertheless, due to rules and regulations the following issues cannot be solved by a Shared Facility Centre.

Operational Issue - Determining Identity	As mentioned earlier the assumption is that some applicants file multiple applications at the various embassies in Addis Ababa. Although applicants with family members in various European states could have a legal right to do so there is no sharing of information between embassies with respect to these applications. With regard to possible fraud, embassies consider this as a serious shortcoming in the current situation. The experience of the existing Common Application Centres[7] is that 'one gate' reduces this phenomenon. The study shows however that international laws and national laws of the Member States hinder sharing biometrics and personal data that could give more insight in this operational issue.
Operational Issue - Common Identity Registration	All embassies experience problems in establishing the identity of an applicant because of the non-existence of (reliable) identity documents. Although a common registration form at an SFC could be helpful in this regard, the real solution for this operational problem would be a common biometric database. As stated above, international laws and national laws of the Member States hinder the sharing of biometrics and personal data. However, it cannot be ruled out cooperation of several EU-countries in one centre has a deterrent effect.

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[7] Only operating in the field of short term visa

7.4. Recommendations for a more effective cooperation

The recommendation is based on the interviewed delegations of the embassies and information gathered via the questionnaires. The study leads to the following recommendations (please take into account that these recommendations are not official positions of Member States).

Recommendation I	Explore (financial) preparedness of Member States to participate in an SFC and lobby at EU-level for funding for a Shared Facility Centre	The conclusions show that an SFC in this stage could already solve some operational problems and could improve service and facilities. Therefore, although the impossibility of sharing biometrics and personal data between Member States won't be able to establish a more effective identity management, it is advisable to explore the (financial) preparedness of Member States to participate in an SFC and to lobby at EU-level for funding an SFC. The lessons learned from existing Common Application Centres is that one of the main struggles to establish an SFC will probably be the starting capital.
Recommendation II	Closer cooperation in the field of family reunification process in Addis Ababa	Suggested forms are: explore the possibilities to jointly register (in excel, for example) who applies for family reunifications (e.g. only by the numbers of the Somali passports) or rejected applications, a shared interpreters pool, combine the DNA-sampling, share information about the country of origin and jointly prepare the applicants for integration. Also, formats for the interviews can be shared.
Recommendation III	Placement of a Common Immigration Advisor	A further investigation of the different issues and suspected fraud is recommended since there are suspicions and signals on fraud and misuse but little hard evidence. This could be done in the form of a temporary placement of a (senior) migration advisor that works on behalf of various EU Member States. The advisor can investigate fraud, advise possible solutions, monitor the process, report on similarities and differences and organize working group meetings on family reunification in order to develop ideas on cooperation forms. EU-funding (90%) is available for this kind of actions.
Recommendation IV	Discuss at EU–level adjustment of EU-VIS	Long term visa applicants receive travel documents (passport, residence permit, laissez-passer or a passport with a D-visa) from the EU embassies. Applicants may enter the Schengen area with these documents and in most cases have the right to travel in the Schengen area (circulation right). Therefore, these applicants have the possibility to enter another Schengen country, where they could apply for a residence permit (e.g. asylum), without the possibility for the Schengen country to check whether the applicant is in the possession of a long term visa for another Schengen country. By registering this group in EU-VIS, it would be possible to have an insight in this phenomenon on EU level. However, the European Commission already argued that the EU does not have power in the area of long stay visa. Nevertheless, from an operational level it could solve the mentioned problems faced in Addis Ababa. Another option could be to investigate the possibility to withhold the circulation right on a D-visa.