



Ad-Hoc Query on transit without visas

Requested by UK EMN NCP on 17 June 2010

Compilation produced on [29/07/2010]

Responses from [France](#), [Germany](#), [Netherlands](#), [Spain](#) (4 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background Information

The UK Border Agency are currently reviewing arrangements for air passengers who need to transit the UK on the way to other destinations. In order to explore potential changes, we wish to gather information on how other countries manage transit passengers. As part of this information gathering, we are looking for answers to the questions below from key countries of interest and would be grateful for a response by the **30th June 2010**.

Please note that Rebecca Gillespie (rebecca.gillespie@homeoffice.gsi.gov.uk) and Rosemary Murray (rosemary.murray@homeoffice.gsi.gov.uk) are the principal contacts for this request so please send responses directly to them copying in myself/EMN inbox.

Should you have any queries about the question, or require clarification on any part, please contact Rebecca or Rosemary directly, either by email or telephone (+44 208 706 2153).

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Questions:

1. **Do air passengers require visas to transit your country when they do not need to enter the country to catch their onward flight (i.e. they can remain airside at the arrival airport)?**
If so, which nationalities require these visas? Does this differ from the standard visa national list for your country?
Are any passengers exempt because of the documents they hold (such as a visa for another country)?

2. **Do air passengers require visas to transit your country when they need to enter the country to catch their onward flight (i.e. they must travel to another airport to catch their departure flight)?**
Is the requirement dependent upon the length of time the passenger is in transit for?
If so, which nationalities require these visas? Does this differ from the standard visa national list for your country?
Are any passengers exempt because of the documents they hold (such as a visa for another country)?

3. **What are the total number of passengers who transit airside (i.e. entry not required) and landside (i.e. entry required)?**


2. Responses

	Query	Wider Dissemination? ¹	
	France		<p>1) and 2) Transit visas are required for non EU nationals (see the list below) who go from a third country outside the Schengen area to another third country outside the Schengen area, transiting through France or several Schengen States.</p> <p>The airport transit visa (airside) allows its holder to access the international zone of an airport but can not get out of it. This visa is valid only for France.</p> <p>Transit visa (landside) can only be issued for a maximum validity of six months. It allows its holder to leave the international zone of the airport and enter the Schengen area for a limited period of 5 days for every transit.</p>


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		<p><u>List of countries that can benefit from transit visas:</u></p> <p>Afghanistan Albania Angola Bangladesh Burkina Faso Cameroon Colombia Congo, Democratic Republic (Kinshasa) Congo Republic (Brazzaville) Côte d'Ivoire Cuba Djibouti Dominican Republic Eritrea Ethiopia Gambia Ghana Guinea (Conakry) Guinea Bissau Haiti India Iran Iraq Liberia Mali Mauritania Nigeria Pakistan Peru Russia (only for people coming from an airport located in Armenia, Azerbaijan, Georgia, Ukraine, Belarus, Moldova, Turkey or Egypt) Senegal Sierra Leone Somalia Sri Lanka Sudan Chad</p>
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			<p>Togo</p> <p>Refugees and stateless persons holding a travel document issued by the countries mentioned in this list and Palestinian refugees holding a travel document can be issued a transit visa.</p> <p>3) Transit visas</p> <table border="1" data-bbox="613 472 1823 895"> <thead> <tr> <th>2009</th> <th>Diplomatic visas</th> <th>Ordinary visas</th> <th>Service visas</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Transit visas (landside)</td> <td>1 005</td> <td>13 544</td> <td>3 145</td> <td>17 694</td> </tr> <tr> <td>Airport transit visa (airside)</td> <td>4</td> <td>10 439</td> <td>138</td> <td>10 581</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>2010 (until 19th July 2010)</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Transit visas (landside)</td> <td>46</td> <td>1 045</td> <td>245</td> <td>1 336</td> </tr> <tr> <td>Airport transit visa (airside)</td> <td>2</td> <td>4 660</td> <td>60</td> <td>4 722</td> </tr> </tbody> </table> <p>Source: Ministry of Immigration (sub-directorate of visas)</p>	2009	Diplomatic visas	Ordinary visas	Service visas	Total	Transit visas (landside)	1 005	13 544	3 145	17 694	Airport transit visa (airside)	4	10 439	138	10 581						2010 (until 19th July 2010)					Transit visas (landside)	46	1 045	245	1 336	Airport transit visa (airside)	2	4 660	60	4 722
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	<p>Germany</p>	<p>Yes</p>	<p>1) and 2): Relevant for the answer of these questions since 05 April 2010 is the Visa Code (Regulation(EC) No 810/2009 of 13 July 2009, published in the Official Journal of the European Union L 243/1on 15 September 2009). We refer to this regulation, obligatory for all Schengen-Memberstates. Complementary to 1): A common third-country list for nationals required to hold an airport transit visa is set out in Annex IV of the Visa Code. In addition Schengen -Memberstates are allowed to establish national lists of third countries. The German national list is enclosed. Complementary to 2): The list of third-country nationals required to hold a visa is included in the current version of the Regulation (EC) No 539/2001.It is also obligatory for all Schengen-Memberstates. The Visa-Code and this regulation contain provisions on possible exceptions.</p> <p>3): Provision of statistics is unfortunately not possible at the moment.</p>																																			


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			<p>Note: DE-NCP has involved the Federal Ministry of Interior as the competent authority for the visa policy in Germany when answering questions in the context of the national network (Article 5 paragraph 5 lit d of the Council Decision establishing the EMN 2008/381/EG of 14 May 2008). It is recommended to address additional questions on visa policy directly there. Reference is made to the discussions of the Visa Code and its implementation, which were and are conducted in the bodies of the Council of Ministers of the European Union with the participation of the Home Office.</p>
	<p>Netherlands</p>		<p>1. Do air passengers require visas to transit your country when they do not need to enter the country to catch their onward flight (i.e. they can remain airside at the arrival airport)? If so, which nationalities require these visas? Does this differ from the standard visa national list for your country?</p> <p>The list of third countries whose nationals must hold an airport transit visa when passing through the international transit areas of airports situated on the territory of the Schengen Member States is set out in <u>Annex 7A Handbook Visa Code</u>.</p> <p>7A Afghanistan , Bangladesh, Democratic Republic of Congo, Eritrea, Ethiopia, Ghana, Iran, Iraq, Nigeria, Paqistan, Somalia and Sri Lanka)</p> <p>A Member State may furthermore individually require nationals from certain third countries to hold an airport transit visa when passing through the international transit areas of airports situated on its the territory, <u>see Annex 7B</u>. The following countries are placed on this list by the Dutch authorities:</p> <p>7B Angola, Colombia, Gambia, Guinee, Guinee-Bissau,Nepal,Sierre Leone, Sudan and Syria</p> <p>If you compare annex 7A,B with annex 1 A (common list of third countries whose nationals must be in possession of visas when crossing the external borders) you can see there are far less nationalities on the 7A/B annexes.</p> <p>Are any passengers exempt because of the documents they hold (such as a visa for another country)?</p> <p>In art 3 paragraph 5 Visa Code you can find the categories, which are exempt from the requirement to hold an airport transit visa:</p> <p><i>5. The following categories of persons shall be exempt from the requirement to hold an airport transit visa provided for in paragraphs 1 and 2:</i></p> <p><i>(a) holders of a valid uniform visa, national long-stay visa or residence permit issued by a Member State;</i></p> <p><i>(b) third-country nationals holding the valid residence permits listed in Annex V issued by Andorra, Canada, Japan, San Marino or the United States of America guaranteeing the holder's unconditional readmission;</i></p> <p><i>(c) third-country nationals holding a valid visa for a Member State or for a State party to the Agreement on the European Economic Area of 2 May 1992, Canada, Japan or the United States of America, or when they return from those countries after having used the visa;</i></p> <p><i>(d) family members of citizens of the Union as referred to in Article 1(2)(a);</i></p>

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			<p>(e) holders of diplomatic passports; (f) flight crew members who are nationals of a contracting Party to the Chicago Convention on International Civil Aviation.</p> <p>2. Do air passengers require visas to transit your country when they need to enter the country to catch their onward flight (i.e. they must travel to another airport to catch their departure flight)? Yes. If a passenger possesses one of the nationalities mentioned in annex 1 A he/she will need a Schengen visa in case he/she has to enter the Schengen zone in order to catch his/her onward flight. Is the requirement dependent upon the length of time the passenger is in transit for? No. If so, which nationalities require these visas? Annex 1 a Visa Handbook Does this differ from the standard visa national list for your country? No. This is the same list. Are any passengers exempt because of the documents they hold (such as a visa for another country)? Passengers, holding a valid residence permit issued by one of the Schengen Member States are exempt from the visa requirement (art 21 SIA). Also passengers holding a valid long stay visa issued by a Schengen Member State are exempt from the visa requirement.</p> <p>3. What are the total number of passengers who transit airside (i.e. entry not required) and landside (i.e. entry required)? There is no statistical information available of the total number of passengers who transit airside and landside. We can only provide the number of airport transit visas (no entry required) and the number of transit visas (entry required) issued in a given year (2009: 7.670 resp. 82.406).</p>
	<p>Spain</p>	<p>Yes, but not Q3 (stats)</p>	<p>1. Spain requires certain third country nationals to hold an airport transit visa. The nationalities that require these visas are established in Annex IV of Regulation (EC) No 810/2009 (Afghanistan, Bangladesh, Democratic Republic of the Congo, Eritrea, Ethiopia, Ghana, Iran, Iraq, Nigeria, Pakistan, Somalia, Sri Lanka) and in a national list (Angola, Cuba, Djibouti, Guinea Bissau, India, Ivory Coast, Liberia, Mali, Sierra Leone, Togo).</p> <p>The following categories of persons are exempt from the requirement to hold an airport transit visa:</p> <ul style="list-style-type: none"> (a) holders of a valid uniform visa, national long-stay visa or residence permit issued by a Schengen State; (b) third-country nationals holding the valid residence permits listed in Annex V of Regulation (EC) No 810/2009 issued by Andorra, Canada, Japan, San Marino or the United States of America guaranteeing the holder's unconditional readmission; (c) third-country nationals holding a valid visa for a Schengen State or for a State party to the Agreement on the European Economic Area of 2 May 1992, Canada, Japan or the United States of America, or when they return from those countries after having used the visa; (d) family members of citizens of the Union as referred to in Article 1(2)(a) of Regulation (EC) No 810/2009; (e) holders of diplomatic passports; (f) flight crew members who are nationals of a contracting Party to the Chicago Convention on International Civil Aviation. <p>2. All third country nationals subject to the short-stay visa requirement (see Regulation (EC) No 539/2001) must hold a visa to enter</p>

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			<p>the Spanish territory with the purpose of transit to catch their onward flight, except where they hold a valid residence permit or a valid long-stay visa issued by a Schengen State.</p> <p>3. [This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further].]</p>
	<p>United Kingdom</p>	<p>No</p>	<p>Questions:</p> <p>1. Do air passengers require visas to transit your country when they do not need to enter the country to catch their onward flight (i.e. they can remain airside at the arrival airport)?</p> <p>If so, which nationalities require these visas? Does this differ from the standard visa national list for your country?</p> <p>Are any passengers exempt because of the documents they hold (such as a visa for another country)?</p> <p>The UK require certain visa nationalities to hold an airside transit visa unless they are in possession of specific exemption documents. (See http://www.ukba.homeoffice.gov.uk/aboutus/workingwithus/transportindustry/rfon/carierguidetovisas/ for nationality list and details of exemption documents.)</p> <p>2. Do air passengers require visas to transit your country when they need to enter the country to catch their onward flight (i.e. they must travel to another airport to catch their departure flight)?</p> <p>Is the requirement dependent upon the length of time the passenger is in transit for?</p> <p>If so, which nationalities require these visas? Does this differ from the standard visa national list for your country?</p> <p>Are any passengers exempt because of the documents they hold (such as a visa for another country)?</p> <p>The UK allow certain visa nationalities to enter the UK the UK for up to 24 hours without a visa if they are eligible under the transit without visa concession. To be eligible the passenger needs to have: a confirmed onward booking on a flight that departs within 24 hours of arrival and all documents to enter final destination and transit in any other en route destinations. If entry is required for between 24 hours and 48 hours a visa national must hold a visitor in transit visa. For transit periods longer than this, a standard visit visa must be held. (See http://www.ukba.homeoffice.gov.uk/aboutus/workingwithus/transportindustry/rfon/carierguidetovisas/ for nationality list and eligibility details)</p>

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