



# **European Migration Network**

## Ad-Hoc Query on electronic handling of applications and files

Requested by LT EMN NCP on 11 August 2010

Compilation produced on [28 October 2010]

Responses from [Austria](#), [Belgium](#), [Bulgaria](#), [Estonia](#), [Finland](#), [Germany](#), [Latvia](#), [Lithuania](#), [Netherlands](#), [Poland](#), [Portugal](#), [Slovak Republic](#), [Spain](#), [Sweden](#), [United Kingdom](#) (15 in Total)

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### **1. Background Information**

The Migration Department under the Ministry of the Interior of the Republic of Lithuania is looking for possibilities to accelerate the processing of applications lodged by third country nationals and to render it less costly. The Department is looking for ways to transfer as many steps as possible to the electronic space and to relinquish paper format. Having this in mind, the Department would like to know how other Member States use IT possibilities in handling applications submitted by third country nationals.




### **2. Responses**

	Query	Wider Dissemination? <sup>1</sup>	1. Is there any possibility in your state to submit applications on the issue of (biometric) documents or solving other migration related matters by electronic format, without using paper documents?



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			<p>- If yes, how do you establish the identity of the applicant and his or her consent to submit the application?</p> <p>- If no, are there any plans to do it in the future? Please specify, what applications you consider to make available online.</p> <p>2. What format do you use for files related to the legal status of third country nationals, asylum or the acquisition of citizenship – digital or paper format? If you make digital files – how are they stored and managed (in a centralised way, or every particular institution has its own file management system)? (by a file we mean a set of documents needed for the processing of applications)</p> <p>3. If you answered “yes” to any of the questions above, could you provide any links to related laws or some other sources of further information?</p>
	<b>Austria</b>	<b>No</b>	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further.
	<b>Belgium</b>	<b>Yes</b>	<p>1. Rarely an application in migration related matters is handled without any use of paper documents. Most applications related to migration related matters, such as asylum applications, are registered electronically, but in addition to this paper documents are issued.</p> <p>2. Files often exist in a digital and paper format.</p>
	<b>Bulgaria</b>	<b>Yes</b>	<p>1. Application must be made in paper format</p> <p>2. Files are made in paper format</p> <p>3. n/a</p>
	<b>Estonia</b>	<b>Yes</b>	<p>1. There are two procedures that also allow for electronic submission of documents:</p> <ul style="list-style-type: none"> <li>• An Estonian citizen at least 15 years of age applies for an ID card and the applicant is a holder of a valid ID card (with valid certificates and PIN codes). In this case the applicant can digitally sign all accompanying necessary documents and send them to the Police and Border Guard Board via email. Additional information available on the webpage of Police and Border Guard Board (<a href="#">direct link</a>).</li> <li>• An Estonian citizen at least 15 years of age applies for an Estonian citizen passport and is in a possession of a valid ID card (with valid certificates and PIN codes). Less than 2 years need to have passed since the previous application of a passport and capture of applicant's fingerprints, and the fingerprints have not changed. Again, the applicant can digitally sign all accompanying necessary documents and send them to the Police and Border Guard Board via email. Additional information available on the webpage of Police and Border Guard Board (<a href="#">direct link</a>).</li> </ul> <p>Estonia also allows for electronic pre-submission of Schengen visa application (<a href="http://www.mfa.ee/visa">http://www.mfa.ee/visa</a>), but the applicant has to print out the filled out application form and take it with all other accompanying documents to the Estonian diplomatic mission or consular post in order for the review of the application to begin.</p> <p>2. Documents submitted by the applicant and other files related to the legal status of third country nationals, asylum and acquisition of citizenship are kept in both paper and digital format. Applications are processed digitally. Files are stored in a centralized system as all</p>





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			<p>the above mentioned applications are being processed by the Police and Border Guard Board. Archiving is regulated by the 1 January 2010 directive no 59 of the Director General of the Police and Border Guard Board, which is based on the Archives Act. Files are archived in paper and digital format. In order to ensure that the files in paper are stored and managed uniformly, a special archiving division has been formed at the Board. Files are forwarded to the archiving division through the procedural information system, which automatically adds the archiving number to the application in digital format.</p> <p>3. Relevant legal acts:</p> <ul style="list-style-type: none"> <li>• Digital Signatures Act, <a href="#">in English</a> (please note that this is not the latest version of this act, act with latest amendments can only be found <a href="#">in Estonian</a>).</li> <li>• Identity Documents Act, <a href="#">in English</a> (please note that this is not the latest version of this act, act with latest amendments can only be found <a href="#">in Estonian</a>).</li> <li>• Archives Act, <a href="#">in English</a> (please note that this is not the latest version of this act, act with latest amendments can only be found <a href="#">in Estonian</a>).</li> </ul>
	<b>Finland</b>	<b>Yes</b>	<p>1) Will be 5/2011 – all other applications but asylum related  2) Electronic format from 5/2011 – managed in a central repository  3) for further information contact jouko.salonen@migri.fi</p>
	<b>Germany</b>	<b>Yes</b>	<p>1. It is not possible to submit applications in electronic form. There are no concrete plans to introduce such a facility in the future, either. Following the introduction of the electronic residence title (EC Regulation 380/2008), however, it is technically possible to incorporate an authentication function / a qualified signature into the document. This, in turn, would render electronic applications possible.</p> <p>2. Asylum files are kept at the Federal Office for Migration and Refugees (BAMF) in electronic form in the MARiS system. This is an electronic workflow and document management system with central data storage. This system enables any electronic file to be viewed by any BAMF branch office anywhere in Germany (decentralised structure). A so-called document folder also requires to be kept, containing case-related documents in paper form (identity papers, evidence, proof of service, etc.).</p> <p>3. There is no legislation requiring files to be kept in electronic form. The statutory obligation to keep files can be met by keeping files in paper form or electronic form.</p>
	<b>Latvia</b>	<b>Yes</b>	<p>1. We can distinguish between two types of submitting of applications: online and in person but without submitting any paper applications. At the moment we have some electronic services persons can use if they want to 1) declare their address in Latvia; 2) receive information on their personal data stored in the Register of Population; 3) receive information about persons declared in the property of person; 4) invite a foreigner by confirming invitation for visa or for residence permit. To carry out these procedures they have to log in specially designed portal <a href="http://www.latvija.lv">www.latvija.lv</a> , using their safe electronic signature. If a person does not have electronic signature, s/he can use only the first three services mentioned above – declaration of address and information from Register of Population – for that s/he has to log in his/her internet bank and perform this procedure. This kind of service (by using an internet bank) is rather popular, for example, during 2010 approx. 15 000 persons have used this possibility for declaration of address. Our office plans to make available confirmation of invitation through internet bank service as well.</p>




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			<p>Then there are applications persons do not have to submit in writing. For example, application for Latvian passport is printed from the IT system and person has to sign it to confirm that personal data is correct. Application for invitation (if made by physical person) is not in written form either. Employee fills in a data base and then print out the application form which is signed by inviter to confirm validity of data.</p> <p>We are working on electronical visa application which means that applicant can fill in visa application, which is forwarded to National visa information system afterwards. Embassy would start all necessary checks and inform applicant on the time s/he has to arrive to embassy to submit other necessary documents and prove his/her identity.</p> <p>We are not considering introduction of electronic submission of residence permit application yet.</p> <p>2. We use paper files but digitalization project has been started also. Unfortunately the status of paper files after they have been digitalized has not been decided yet in national level. It is not clear also if documents that have been digitalized can be used as official documents in court procedures, for example.</p> <p>3. Electronic Documents Law (scroll page down to find a translation) <a href="http://www.ttc.lv/advantagecms/LV/meklet/meklet_dokumentus.html?query=Elektronisko%20dokumentu%20likums&amp;resultsPerPage=10">http://www.ttc.lv/advantagecms/LV/meklet/meklet_dokumentus.html?query=Elektronisko%20dokumentu%20likums&amp;resultsPerPage=10</a> )</p>
	<b>Lithuania</b>	<b>Yes</b>	<p>1. In all matters related to migration, applications must be made in paper format, even in those cases where decisions are taken electronically.</p> <p>2. In all cases files are made in paper format.</p> <p>3. n/a</p>
	<b>Netherlands</b>	<b>Yes</b>	<p>1. In asylum cases, all applications must be lodged in person. They are signed in the presence of an IND-officer.</p> <p>In regular cases, the national foreigner can apply for a provisional residence permit (mvv) before entering the Netherlands in person at the Dutch Embassy or Consulate in his country. The person with whom the foreign national wish to stay in the Netherlands or the (educational) organisation that is arranging the stay can ask the IND for an advice regarding the issue of the mvv. Depending on the purpose of staying in the Netherlands the regular residence permit must be submit in person by the IND desk (by an IND-officer ) or in written by the IND.</p> <p>The application for extending the period of validity of the regular residence permit and for regular residence permit for permanent stay must be submit in written by the IND, but the foreign national must sign this applications.</p> <p>2. In asylum en regular cases, applications are lodged in paper format. In the near future, all paper documents will be scanned,</p>

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			labelled and inserted in digital files. The transmission to digital files is expected to have been realized before the end of 2010. Signing of application forms will not change in itself, however. After drawing up paper application forms, and having them signed by the applicant, the forms will be digitalised as described above. The paper documents (after the scanning) will be destroyed.
	<b>Poland</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. There is no possibility to submit any kind of applications on the issue of document or solving other migration related matters using electronic format. Only paper format are acceptable and there are no plans to change the system till now.</li> <li>2. When establishing the legal status of third nationals, asylum, the acquisition of Polish citizenship, institutions require from a foreigner a paper format of the application. Application has to be submitted personally (or by legal representative) with the foreigners' signature. However, sometimes, e.g. through <i>e-konsulat</i> system (<a href="http://www.e-konsulat.gov.pl/Default.aspx">http://www.e-konsulat.gov.pl/Default.aspx</a>), electronic version of specified applications may be available thorough the website. In this case a foreigner may fill the application in electronic form but in the end he/she will be obliged to print it and sign.</li> <li>3. n/a</li> </ol>
	<b>Portugal</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. On the issuance of (biometric) documents, Aliens and Borders Service requires the attendance of the third country national (TCN), scans all paper documentation and captures applicant's biometric data, such as photo, signature and fingerprints (SIGAP System).</li> <li>2. Files concerning the granting of residence permits to TCN are kept in a digital format (as explained in 1.). So far, once the system is not yet fully implemented, some of them are kept in paper format. Asylum and acquisition of citizenship files are still kept on paper format. Please note that acquisition of citizenship is granted by the Ministry of Justice. In the framework of the acquisition of citizenship process, Aliens and Borders Service (Home Office) makes an appraisal only.</li> <li>3. See attached a PP presentation on SIGAP System.</li> </ol>  <p>SIGAP Ingles_20091105.ppt</p>
	<b>Slovak Republic</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. No. Both applications for residence and for asylum have to be submitted in paper format. There is no possibility to submit the applications in electronic format. The Slovak Republic has no specific plan to handle the residency or asylum files in an electronic on-line way.</li> <li>2. In the Slovak Republic the residence permits are issued in the form of a sticker (temporary) or ID card (permanent) in line with the Council Regulation 1030/2002/EC from 13 June 2002 on uniform format of residence permits for third country nationals. The citizenship certificates are also issued in a paper form. The ID cards for asylum seekers are also issued in a paper format for the period until the decision on the asylum is taken. There are no ID cards for asylum seekers with biometric data so far. In the near future the Slovak Republic does not plan to issue the ID cards with biometric data.</li> </ol>

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			N/A
	<b>Spain</b>	<b>Yes</b>	<p>1) As regards <b>work and residence permits</b>, generally the procedures require the presence of the interested party. However, the following processes may be completed in digital format: downloading of electronic application forms for procedures concerning alien affairs; on-line consultation of the file processing status; downloading of forms for the payment of fees, as well as their telematic payment; requesting an appointment over the Internet.</p> <p>Currently, progress is being made in adapting part of the procedures for their electronic processing within the specializations set forth in regulations on alien affairs. It is expected that the telematic processing of renewals will be possible in the near future.</p> <p>Concerning the <b>acquisition of Spanish nationality</b>, the procedure currently in effect requires that specific processes of a clearly personal nature be completed by the interested party in person; therefore, the full integration of these within electronic means is not possible.</p> <p>As to <b>applications for international protection</b>, legislation in effect does not foresee their presentation via electronic means, as the presence of the applicant is statutory.</p> <p>2) Documents are stored both in paper and digital format. Currently, every institution manages their own files, but a Common IT System is being developed to be used by all the institutions involved</p>
	<b>Sweden</b>	<b>Yes</b>	<ol style="list-style-type: none"> <li>1. You can apply on internet by an e-service, but you must visit an embassy in person to enroll the biometrics.</li> <li>2. It's not possible to apply for asylum on internet. We are in development of electronic files meaning that we can handle the case electronic. The application will be in paper format, but we will scan all paper to an e-file.</li> <li>3. Please contact the project e-Migration and the Project Manager Thomas Wahlberg, at mail <a href="mailto:thomas.wahlberg@migrationsverket.se">thomas.wahlberg@migrationsverket.se</a>.</li> </ol>
	<b>United Kingdom</b>	<b>No</b>	This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that their response is not disseminated further.

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