

Visa Free Travel in the EU Schengen Area

Frequently Asked Questions

February 2017

(Valid for Georgia ONLY after entry into force of Visa Waiver, most likely April 2017)

1. In which countries will the visa waiver apply?

The visa-free regime applies to stays in the territories of the EU Member States, except for the United Kingdom and Ireland.

The EU Member States covered by the visa waiver are:

- the EU Member States which are part of the Schengen area: Austria, Belgium, the Czech Republic, Denmark, Estonia Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain and Sweden;
- the EU Member States who not yet fully apply the Schengen acquis (those who are not yet part of the Schengen area without internal borders): Bulgaria, Croatia, Cyprus and Romania¹.

The visa waiver only applies to the European territory of France and the Netherlands.

The visa waiver also applies to the associated Schengen states: Iceland, Liechtenstein, Norway and Switzerland.

2. How long can I stay without a visa in the Schengen area?

You can stay 90 days in any 180-day period within the Schengen area.

When applying this rule, the following aspects should be taken into account:

- *The date of entry is considered as the first day of stay in the Schengen territory;*
- *The date of exit is considered as the last day of stay in the Schengen territory;*
- *The 180-day reference period is not fixed. It is a moving window, based on the approach of **looking backwards** at each day of the stay (be it at the moment of entry or at the day of an actual check, such as inland police control or border check upon departure);*
- *Absence for an uninterrupted period of 90 days allows for a new stay for up to 90 days.*

It should be noted that periods of previous stay authorised under a residence permit or a long-stay visa are not taken into account in the calculation of the duration of visa-free stay. Residence permits and long-stay visas are subject to different rules and the above explanations and calculations do not apply to them.

¹ Stays in these states are not calculated in the overall period of stay for the Schengen area. Instead the 90-day limit is calculated individually for each of these states. For instance, after a 90-day stay in the Schengen area, the person can immediately travel to Croatia and stay for another 90 days there.

3. Can I enter the Schengen area more than one time during that period?

Yes, you can. However you must carefully calculate your days of stay as the overall period of stay must not exceed the overall total of 90 days of stay within any 180-day period (see above).

The length of authorised stay in the Schengen area can be determined through the use of the 'calculator' which can be found at the following website, in English and Russian:

https://ec.europa.eu/home-affairs/content/visa-calculator_en

4. What travel documents are needed in order to enjoy visa-free travel to the Schengen area?

A biometric passport issued within the previous 10 years and valid for at least three months after the intended date of departure from the Schengen area.

5. Does the visa waiver give you the right to enter the territory of the Schengen States?

The visa waiver does not give an unconditional right of entry and stay. The Member States have the right to refuse entry and stay in their territories if one or more of the entry conditions are not met.

For stays not exceeding 90 days in any 180-day period, the entry conditions for third-country nationals are the following:

- (a) possession of a valid travel document (*see question 4*) or documents authorising them to cross the border;
- (b) justifying the purpose and conditions of the intended stay, having sufficient means of subsistence, both for the duration of the intended stay and for the return;
- (c) not to be a person for whom an alert has been issued in the Schengen Information System (SIS) for the purposes of refusing entry;
- (d) not to be considered to be a threat to public policy, internal security, public health or the international relations of any of the Member States, in particular where no alert has been issued in Member States' national data bases for the purposes of refusing entry on the same grounds.

6. What documents do I need to show to the immigration officer at the port of entry?

You need to show your biometric passport. In addition, you might be asked to also show documents proving your purpose and conditions of stay (for example tickets for further journeys and return tickets; reservation of accommodation; invitation letter in case of visits, conferences or events; school enrolment certificate in case of study etc.)² as well as evidence of sufficient means of subsistence (see below).

² Non-exhaustive list of supporting documents in Annex 1 to Regulation 562/2006 (Schengen Borders Code): <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1429693745130&uri=CELEX:02006R0562-20131126>

7. How much money do I need to have with me in order to travel to the Schengen area?

According to Article 5(3) of the Schengen Border Code: "*means of subsistence shall be assessed in accordance with the duration and the purpose of the stay and by reference to average prices in the Member State(s) concerned for board and lodging in budget accommodation, multiplied by the number of days stayed.*"

The verification that the third-country national concerned has sufficient means of subsistence for the duration and purpose of the intended stay, for his/her return to the country of origin or transit to a third country or that he/she can obtain these means legally. In order to assess the means of subsistence, the reference amounts set by each Schengen State³ must be taken into account.

The verification of sufficient means of subsistence may be based on cash, travellers' cheques and credit cards in the third-country national's possession. Declarations of sponsorships, where such declarations are provided for by national legislation and letters of guarantee/invitation from hosts, as defined by national legislation, in case the third-country national is staying with a host, may also constitute evidence of sufficient means of subsistence.

The validity of a credit card can be verified by contacting the issuing company or by using other facilities available at the border crossing point.

Invitation from hosts can be verified by contacting the host directly or by verifying the host's good faith through the national contact points of the Member States in which the host resides.

8. Is a travel medical insurance always necessary in order to travel in Schengen area?

A travel medical insurance is not mandatory for visa-free third country nationals. Nonetheless, it is recommended to get one in case of travel to the Schengen countries.

9. For which purposes can I travel without a visa to the Schengen area?

You can come as a tourist, to visit friends or family, to attend cultural or sports events, business meetings, for journalistic or media purposes, medical treatment, for short-term studies or training and any similar activities.

However, the visa waiver does not apply to persons travelling for the purpose of carrying out a paid activity in the Member States, i.e. for those who come to work in the EU (see question below).

10. Do I need a visa to work in the Schengen area for less than 90 days?

Yes, most of the Member States require a visa and a work permit if you intend to work there, even if it is for less than 90 days. Please contact the Embassy/Consulate of the Member State where you intend to work to inquire whether a special type of visa and work permit is needed.

11. If I plan to visit a friend or relative living in the Schengen area will I need to provide any specific information on this person at the border?

³ Some MS have set reference amounts and notified to the Commission:
http://ec.europa.eu/home-affairs/doc_centre/borders/borders_rights_en.htm#notifications
See also: http://ec.europa.eu/dgs/home-affairs/e-library/documents/policies/borders-and-visas/schengen/docs/lists_of_ms_notifications_article_34_en.pdf - page 3

You can be asked to provide information on this person. It is recommended to have at least the address and contact number.

12. Will I need to apply for a visa and/or study permit if I plan to travel to the Schengen area for short-term studies?

No. You do not need to apply for a study permit in case you intend to undertake studies in the Schengen area with a stay of up to 90 days (within a 180-day period). For longer studies you have to apply for a study permit and the rules vary from country to country. Therefore it is recommended to consult the Embassy/Consulate of the country in which you intend to study.

13. Once the visa free travel applies, can I travel from one Schengen country into another country?

There are no border controls between countries in the Schengen area⁴. Only in exceptional situations Member States may decide to reintroduce controls at their internal borders for a limited period of time⁵. In such case you might be submitted to border controls at such border as any other person (EU citizens included); if you continue to fulfil the entry conditions, your right to travel freely in the Schengen area will not be affected.

Border controls are carried out between the Schengen countries and Bulgaria, Croatia, Cyprus and Romania (EU Member States which not yet fully apply the Schengen acquis). Controls are also carried out between Schengen countries and the UK and Ireland (which do not belong to the Schengen Area).

Non-EU citizens are obliged to fulfil all entry conditions (*see question 5*) and might be required to demonstrate that at possible ad-hoc controls in the Schengen area.

14. If I stay beyond 90 days (without a residence permit or a long term visa) or work in the Schengen area (without a working permit), what can happen?

A non-EU national who stays in the Schengen area beyond 90 days (without a residence permit or long-stay visa) is illegally present, which can result in a re-entry ban to the Schengen area. Working in the Schengen area without a work permit is also illegal (even if less than 90 days) and can likewise result in a re-entry ban to the Schengen area. Depending on the Member State administrative penalties may also apply.

⁴ Austria, Belgium, the Czech Republic, Denmark, Estonia Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Iceland, Liechtenstein, Norway and Switzerland

⁵ E.g. border controls reintroduced in France in response to the terrorist attacks