

FONASBA MEMBERSHIP ENQUIRY



ENQUIRY RESPONSE FORM

ORIGINATING ASSOCIATION:	Association of St. Petersburg Shipping Agencies
ENQUIRY DETAILS:	<p><i>Due to recent changes in the procedures for issuing transit visas to foreign seamen in Russia, the issuing process now takes up to 20 days after the application is lodged. (Previously seafarer transit visas could be issued within 24 hours of application). Such a delay is in contravention of the Maritime Labour Convention and Seafarers Identity Documents Convention (both of which have been signed by the Russian Federation) and an obvious impediment to the efficient change and repatriation of crew members in Russian ports.</i></p> <p><i>In order to support our actions to return the visa process to its original 24 hour timescale, we are asking FONASBA members in Europe to advise:</i></p> <p><i>1) Is a visa required for the repatriation of a seaman (non-EU citizen) from your country?</i></p> <p><i>2) How long does it take to get the visa?</i></p>
CLOSING DATE FOR REPLIES:	Friday 26th August 2016

RESPONDING ASSOCIATION COMMENTS: (Please include any attachments)

ASSOCIATION	RESPONSE
Angola	<ol style="list-style-type: none"> 1. A transit visa is required for disembarking seafarers into Angola. 2. Visas can be issued on the same day as they are applied for.
Belgium	See attachment.
Brazil	<ol style="list-style-type: none"> 1. Seamen who are citizens of countries signatory of ILO Convention and with seaman book, are allowed to enter Brazilian Territory and the transit visa will granted on arrival at International airport. Seamen must hold a letter informing that he is a seaman in transit, mentioning ship's name and port of embarking. Regretfully different procedures in some Brazilian ports also happens and, therefore, seamen coming from countries on which a previous visa is compulsory, should contact local agents

	<p>before traveling. In the same way, seamen to be replaced only needs a permission to disembark and be taken to the airport as long as the situation is fully regularized in the ship. In Brazil, The Federal Police is in charge to grant such authorization.</p> <p>2. In both cases, the arrangements to obtain a transit Visa only takes a few hours or less.</p>
Bulgaria	<p>After contacting the local authorities regarding the question we can provide the following information: If a seaman needs to be repatriated from Bulgaria there are three possible scenarios -</p> <ul style="list-style-type: none"> a) The seaman comes from a country which has a visa-free agreement with the EU - no visa is required b) The seaman comes from a country which has a specific bi-lateral agreement with Bulgaria for the facilitation of travel (Russia, Ukraine, Georgia, Moldova, Macedonia, Serbia, Montenegro, Bosnia, Albania) - no visa is required in case the seaman presents the seaman documents (passport, etc.) c) The seaman comes from a country which has a visa requirement to enter Bulgaria - in that case transit visa is required and is given for repatriation only in exceptional/rare cases. Such a visa can't be used for planned crew changes. <p>2) For the last scenario - the transit visa is issued within 2 days from lodging the visa application</p>
Croatia	<p>1. Yes, a visa is required.</p> <p>2. Any non-EU seaman may join the vessel in Croatia with a Croatian transit visa. These are usually obtained within three working days of request.</p>
Cyprus	<p>The Shipping Agent (who should be a member of the Cyprus Shipping Association) is responsible to present to the proper authorities of any departing seaman - non EU passport - his air tickets and flight number and under the Agent's entire responsibility the Authorities issue a three days transit visa upon arrival of the seaman.</p> <p>The Agent is also responsible for his repatriation within three days after the issuance of the visa.</p>
Denmark	<p>1: Crew changes are regularly handled in Danish ports and in Danish waters. There are VISA requirements for non-EU citizens who embark and/or disembark. The notice time is minimum 24 hours, unless the last port of call was less than 24 hours ago, then at the earliest possible notice. For Crew Changes outside ports it is a minimum of 24 hours notice.</p>

	<p>2: It is difficult to state how long time it would take to get a VISA locally and it depends on the applicants nationality and whether it is represented in Denmark by a consulate or an embassy.</p>
Dubai	<p>1. Yes, a visa is required. 2. To obtain a visa, it usually takes 24-48 hours.</p>
Finland	<p>1. Yes. 2. Within 24 hours. Further Comments:</p> <ul style="list-style-type: none"> • Seamen arriving to vsl: you fill in a form and send it to the airport boarder guard • Seamen leaving vsl: are taken to the customs who issue instantly one day visa
France	<p>1. Yes a visa is required. 2. If the seamen have all documents to hand, one hour.</p>
Germany	<p>1. In general, yes. Exceptions are possible, but only in urgent cases and only for the repatriation of seamen. But we see a growing number of so called multiple entry visas, so we are talking about a very small number of cases. 2. If the request for an exe was approved the seaman gets the transit visa within 24-hours.</p>
Hungary	Not applicable in Hungary
Israel	<p>In Israel there are about 80 countries which does not require a visa at all while visiting Israel. The list is presented in a Law called The Entry to Israel Comandment. A valid Seamans Book and a valid passport are sufficient to enter Israel for transit Seamen from the listed countries. For Seamen from countries which are not in the a/m list the local agent in Israel has to send A letter of Invitation to the Ministry of Interior of the Country of Origin of the Seaman with the Seaman's details and with this letter declaration about the purpose of the invitation + his Valid Passport and + Valid Seaman's book enables him to leave his country and enter Israel. So actually no VISA is required for Seamen entering Israel in transit.</p>
Italy	<p>1. Yes, in Italy a VISA is required for the repatriation of a seaman (non-EU citizen). 2. It Italy, the application for seafarer transit VISA (non-EU citizen) who has to return home depends from port to port, in any case generally not more than 24-48 hours.</p>
Kenya	<p>1. Yes. 2. On request</p>

Malta	<ol style="list-style-type: none"> 1. Yes, a visa is required for the repatriation of seamen (non-EU citizens), however there are circumstances where, if crew who are signing off have a valid flight ticket, issued by a non-Schengen country, the formalities are very flexible. 2. It usually takes 48 hours to get the visa, when required.
Netherlands	Seafarers who leave the ship to go back to their country have to visit a member of the harbour police force to obtain an exit visa. They will have to wait for this document to be processed and received.
Philippines	The Philippines does not request exit visas from repatriating seafarers.
Poland	<ol style="list-style-type: none"> 1. Yes, at least a transit VISA is required. 2. No more than 24 hours.
Portugal	<ol style="list-style-type: none"> 1. YES. For the moment, Portugal still have the ability to give local transit VISA, it is considered as “extraordinary”. 2. It is possible to get a VISA in 48 hours, but the approval depends exclusively on the immigration deputy officer on duty and the risk management procedures. In addition, the Ship Agent must provide full information on crewmembers personal data, confirmed flights, and they must be present to local immigration port office to collect biometric data.
Slovenia	<ol style="list-style-type: none"> 1. Yes, it is required by embarking and by disembarking of seaman’s 2. Visas will be granted on the same day of application, but are valid only for vessel at Port or arriving in 24 hrs. Application is made to Airport police office, with copy to Port police office, in application we put all data’s of seaman with airline flight number and visa is waiting seaman on Airport.
South Africa	Off-signing crew must present to the port immigration office with a valid airline ticket. The exit visa is issued at that time and is valid for 30 days. There is no cost applicable.
Spain	<ol style="list-style-type: none"> 1. Yes it is. 2. Within 24 hours of application.
Sweden	<ol style="list-style-type: none"> 1. Yes 2. It differs a lot. In some cases they don’t get it at all, because the police state that sailors should have a valid seaman’s visa, issued in their homeland. They just refuse to issue it here then, even if that means that the sailor has to stay on

	board for a couple of extra days until the next port outside Sweden. A copy of the relevant legislation is attached.
Turkey	<p>1. In our country TURKEY as a summary there are three types of visa status for embarking and disembarking crew as below;</p> <ul style="list-style-type: none"> - First in order to consider someone as a crew he/she has to hold valid seaman book. - Visa status of countries are announced by Ministry of Interior to Security General Directorate and if any changes of a county it is announcing by them <p><u>Countries who do not require a VISA;</u> These countries crew members can embark and disembark without visa. These countries are Russia, Ukraine, Germany, Bulgaria, Azerbaijan, Czech Rep., Denmark, Italy, Sweden etc. As you can see usually EU countries.</p> <p><u>Countries who can receive a VISA whilst embarking/disembarking of crew at the border;</u> For these country citizens we as agent can issue transit visa at the border and cost is 372,80.-Turkish Lira (around 125.-usd) for year 2016 visa cost is changing from year to year. These countries are Philippines, India, USA, Austria, Bangladesh, Belgium, Dominican Republic, Ecuador, Holland, Hong Kong, Spain, Ireland, Cuba etc. As you can see also some EU countries that we have to issue visa at the border</p> <p><u>Countries that need a VISA from the Turkish Consulate</u> For these county citizens if the crew will embark to a vessel in Turkey we send invitation letter to Turkish Consulate in his/her country and crew have to apply for Turkish Seaman visa after visa issued he/she can travel to Turkey with valid Turkish visa in hand. As per our previous experiences these formalities takes about 1 week. If a crew will disembark from a vessel before his disembarkation we need his personal details from owner about 1 week ago and apply to Foreign Affairs at capital city Ankara, after their "green light" he/she can disembark from vessel. These formalities also takes about 3 - 4 working days. These Countries are: Afghanistan, Cape Verde, Ethiopia, Ghana, Soudan, Cameroon, Sri Lanka, Somalia etc.</p> <p>2. In Turkey we can obtain VISAs only for the crew members which we can issue at the border (as mentioned above), for a crew member this takes about 15 minutes. VISA fees must be paid in advance to desks declared by the Government or to the banks.</p>
United Kingdom	1. Repatriating seamen do not require a visa to sign off and return home from a ship to the UK. They must have a valid

	seamen's book and passport and will be processed by Immigration Officials prior to departure. 2. N/A
United States of America	1. Yes, a visa is required. 2. Depends on the country but usually 4 or 5 days.

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REPLY TO:	admin@fonasba.com
COPY REPLY TO:	
CLOSING DATE FOR REPLIES:	Friday 26 th August 2016
RESPONDING ASSOCIATION:	NAVES VZW Belgium

RESPONDING ASSOCIATION COMMENTS: (Please include any attachments)

- 1) Yes, a visa is required - this may be a transit visa issued at the border.
See European legislation on transit visa, articles 35 - 36 and annex IX of the "VISA CODE" i.e. European regulation 810/2009:
<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=URISERV%3Aj10028> (if this link does not work you can look up this regulation on the website of the EU).

In the past every seaman applying for a transit visa at the border could get one (of course, if there were no reasons for passage to be denied). Recently, due to changes in internal (computerisation of border control / shipping police) working procedures combined with enhanced security measures in view of terrorist threats, the conditions to be fulfilled in order to be eligible for such a visa, are monitored more strictly - see letter dd. 17/3/2016 from border control to NAVES in attachment.

Remark: in view of the above changes, we had initiated an ECASBA member survey with regard to transit visa and how the European regulation is applied in practice in the different member states of the EU. It may be interesting for you to check out the answers - as published on the FONASBA website.

- 2) You can go and wait at the shipping police border post while your application is being processed - waiting time may vary depending on queues (and those mostly depend on the time of the day/the night). Documentation to go with the application / the application form itself need to be prepared / filled out on beforehand.

It is a standing practice amongst ship agents, to bring the seaman requiring a transit visa to the border post minimum 6 hours before his flight is scheduled to take off. After deduction of the transit time to the airport & necessary time for check-in, this means a possible maximum of 3 hours at the border post is taken into account.

Best regards,

Hilde Bruggeman

NAVES VZW - Belgium

8/8/2016

Federal Government Department of Home Affairs
Immigration Office
Directorate of Border Control,
Municipalities and Support
Border Control

Mrs. Hilde Bruggeman
Director, NAVES (National Federation of Associations of Ship's Agents and Brokers)

Brouwersvliet 33, box 6
2000 Antwerp

Your contact person Brecht Soen	T +32 2 793 81 21	Yr. ref.	Enclosures 0
E-mail Brecht.Soen@ibiz.fgov.be	F +32 2 274 66 37	Our ref.	Brussels 17.03.2016

Subject: Issuing of visas at the external border, for seafarers in transit who require a visa

Dear Mrs. Bruggeman,

We wish to inform you about the recent developments concerning the issuing of visas for seafarers in transit, as a result of the introduction of the Visa Information System (VIS) at the external borders of Belgium.

As of the end of February 2016 only biometric VIS visas are issued at the Belgian border posts, in compliance with the requirements of the European VIS regulation¹. This means that the biometric details of the applicant must be obtained for each visa application, together with other obligatory information that must be submitted to the VIS. In practice this means that the time required to process an individual visa application is at least 15 minutes.

According to the principle laid down in the Visa Code², visas may be issued at the external border only in exceptional cases. Accordingly, as many as possible transiting seafarers must already be in possession of a visa issued by the diplomatic representative.

In practice the number of visas issued at the Belgian border posts has fallen sharply since 2010 as a result of the joint efforts by the Federal Government Department of Foreign Affairs, Immigration Office and the ship's agents. Nevertheless more than 6500 visas are still issued annually at the Belgian border posts.

World Trade Center II
Antwerpsesteenweg 59 B
1000 Brussels

In March 2016 it was found that the issuance of biometric VIS visas led to significant increases in the waiting times at the Shipping Police entry points. This is a practical problem leading to significant losses of time for the players involved (seafarers, ship's agents, taxi drivers etc.).

I am therefore writing to let you know that this problem can only be avoided by planning for **as many visas as possible to be issued beforehand** by the diplomatic representations!

Issuance of visas at the Belgian external border posts may be refused unless it can be shown that there are unforeseen and urgent reasons why the seafarer was unable to obtain a visa beforehand. In this connection the border control authority will consult with the Immigration Office³.

Note also in this connection that crew changes with half the crew or the full crew being disembarked and a new half crew or full crew being taken on are considered as being planned by the shipping company and so do not count as "unforeseen." Not only do such operations have a disproportionate impact on the operations of the Federal Police, Maritime Police; since such crew changes are frequent occurrences they can no longer be classified as "exceptional."

You are therefore urgently requested to no longer organise crew changes with more than five seafarers leaving the same ship as a group and all of them applying for a visa at the external border crossing post.

We further draw your attention to the fact that with every crew change for which VIS visas have to be issued by the Federal Police, Maritime Police, a written explanation of why the case is "exceptional" and "urgent" must be submitted. Then Immigration Office and the border control authority will confer with each other, as mentioned above, and will make a decision on the basis of the explanation.

Finally, you are kindly asked to pass this letter on to the member associations (ship's agents) of NAVES, in order to inform them of these developments and of the principles that apply.

Yours faithfully,

Nancy Bracke,
Head of Border Control

1. Regulation (EC) N° 767/2008 of the European Parliament and Council of 9 July 2008 concerning the Visa Information System and the exchange of data between Member States on short-stay visas
2. Regulation (EC) N° 810/2009 of the European Parliament and Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)
3. See art. 35 of the Visa Code

World Trade Center II
Antwerpsesteenweg 59 B
1000 Brussels



Rikskriminalpolisen

Centrala gränskontrollenheten
Hans Rosenqvist

SKRIVELSE

Datum
2011-04-01

Diariennr (åberopas vid korresp)
A-271-247/11

TILLHÖR

AA	271	3783-2011
2011-04-04		
POLISMYNDIGHETEN I STOCKHOLMS LÄN Rättsenheten Huvudregistratorfunktionen		

Polismyndigheterna

Tillämpning av bestämmelserna om sjömansvisering

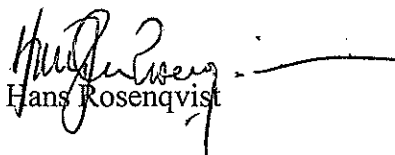
(1 bilaga)

Centrala gränskontrollmyndigheten (CGE) tillställde polismyndigheterna den 18 februari 2011 en skrivelse ställd till rederier och skeppsmäklare angående tillämpningen av bestämmelserna om sjömansvisering i Viseringskodexen, (EG) nr 810/2009.

Underhand har det framförts önskemål om en översättning till engelska av skrivelsen och en sådan bifogas denna skrivelse.

CGE hemställer nu att polismyndigheten på samma sätt som med den svenska versionen tillställer den engelska översättning de rederier och skeppsmäklare som myndigheten har kontakt med.

RIKSKRIMINALPOLISEN


Hans Rosenqvist

Bilaga:

Engelsk översättning av skrivelse till rederier och skeppsmäklare



Rikskriminalpolisen

(National Bureau of Investigation)
 Centrala gränskontrollenheten
 (Central Border Management Division)
 Hans Rosenqvist

Note

Date

2011-02-18

A-271-247/11

Shipping companies and ship agents

Application of the provisions regarding visas issued to seafarers

Regulation (EC) 810/2009 of the European Parliament and of the Council establishing a Community Code on Visas (Visa Code) came into force on the 05.10.2009 and was implemented, with certain exceptions, as of the 05.04.2010. Upon the entry into force of Regulation 810/2009, Council Regulation 415/2003 on the issue of visas at the border, including the issue of such visas to seamen in transit, was repealed.

On the 19.03.2010 the Commission supplemented the Visa Code with a Decision establishing the Handbook for the processing of visa applications and the modification of issued visas C (2010) 1620 final.

The provisions of the Visa Code involve modifications of the possibilities to issue visas at the external borders. In accordance with article 35 of the Visa Code such visas may only be issued in exceptional cases and only if certain conditions are satisfied. Furthermore, article 35.1 b) stipulates that the applicant should not have been in a position to apply for a visa in advance and submits, if required, supporting documents substantiating unforeseeable and imperative reasons for entry.

The seafarer must therefore be able to prove that he/she had no possibility of applying for a visa in advance, i.e. the question of signing on or off must have arisen very suddenly. In addition, he/she must be able to present the police with documents substantiating the unforeseeable and imperative reasons for entry.

The police authority in question may refuse an application for a visa at an external border if it cannot be proven that it was impossible to apply for a visa in advance of the departure to or from Sweden.

According to article 24 of the Visa Code, multiple-entry visas with a period of validity between six months and five years shall be issued to i.a. seafarers where certain conditions are met. It is recommended that shipping companies and ship agents apply for such visas at the relevant embassies or consulates to

Postadress
 Box 12256
 102 26 Stockholm
 Org.nr
 202100-0076

Besöksadress
 Polhemsgatan 30
 Stockholm
 Telefon till Polisen
 114 14

Telefon
 08-401 90 00
 Telefax
 08-650 55 66
 08-401 28 71 (exp)

E-post
 rikskriminalpolisen@polisen.se
 www.polisen.se

the fullest possible extent. This procedure should benefit all parties, i.e. the shipping companies and ship agents, the seafarers themselves and the supervising authorities.

It takes approximately 30 minutes to fill in an application form in the common visa system, VIS, because every single application must be checked in this computer system. It is therefore important to apply in good time or as soon as the shipping company or ship agent knows that a seafarer will arrive in Sweden to sign on or off in order to avoid problems with flights etc.

The *application fee* is payable in compliance with the provisions set down in the annex. At present the application fee amounts to 310 SEK (35 EURO) for nationals of Albania, Bosnia and Herzegovina, Georgia, Macedonia, Moldova, Montenegro, Russia, Serbia and Ukraine. Nationals of Albania, Bosnia and Herzegovina, Macedonia, Montenegro and Serbia *holding biometric passports* are exempted from the visa requirement and therefore do not need visa. The application fee for persons not exempted is 540 SEK (60 EURO). Modifications may occur over time as regards the countries whose nationals enjoy a lower fee and as regards the fees as such.

Applications are to be made using a specific form provided by the police authorities. The form may also be found on the home page of Migrationsverket [the Swedish Migration Board]. The form should be filled in as conscientiously as possible and be sent either by e-mail or fax to the police. This should be done as soon as the issue of a visa at the border is considered in order to render the procedure as effective as possible and keep the time expenditure to a minimum.

Annexed to this note is a document provided by the police authorities with detailed instructions regarding applications, relevant telephone and fax numbers as well as e-mail addresses.

The possibility of issuing group visas to seamen was repealed with the entry into force of the Visa Code.

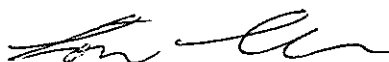
Examples of unforeseeable and imperative reasons for entry (taken from the handbook):

1. A seafarer is told by his shipping agent that he has to embark on a ship in the harbour of Rotterdam (Netherlands) on the 4.11. He receives this message on 1.11, while he is still working on another ship. He will disembark from this ship on 2.11 and will travel by plane to the Netherlands on 3.11.
2. A seafarer from the Philippines, living in a small village on an island a few hundred kilometres from the embassy, is told by his shipping-agent on 1.5 that he has to embark on a ship in the harbour of Rotterdam (Netherlands) which is leaving the harbour on 8.5.

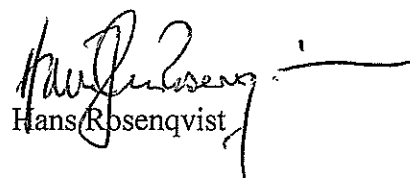
Examples where the seafarer cannot proof unforeseeable and imperative reasons for entry (taken from the handbook):

A seafarer from the Philippines, living in a small village on an island a few hundred kilometres from the embassy, is told by his shipping-agent on 1.5 that he has to embark on a ship in the harbour of Rotterdam (Netherlands) which is leaving the harbour on 28.5.

Swedish National Bureau of Investigation



Sören Clerton
Head of the Central Border Management Division



Hans Rosenqvist

Copies:
Sveriges Redareförening
Sveriges Skeppsmäklareförening
Migrationsverket