



## OSCE Human Dimension Implementation Meeting

Warsaw, 26 September 2007

### Freedom of Movement

### **EU – Ukraine: Visa facilitation for Ukrainians ? A long-standing hoax**

During the Cold War, citizens of the Soviet Union were not allowed to travel freely to Western European countries. Their freedom of movement was practically non-existent outside the USSR and its satellite countries.

With the fall of the Wall and the enlargement of the European Union, the citizens of a number of former Soviet Republics which have become independent are again experiencing restrictions of their freedom of movement. However, this time, the blame has not to be put on their governments but on the European Union and its member states. Ukraine is one of the victims of the new geopolitical situation in Europe.

In the last few years, EU officials have regularly announced that although Ukraine could not envisage to join the EU in the near future, the granting of visas to Ukrainian students, businessmen and scholars would be facilitated. Nothing is so far from reality. A concrete example.

In the last three years, our NGO *Human Rights Without Frontiers Int'l* has been helping a law professor from the South of Ukraine to go to several EU member states to prepare her Ph D and has had to cope every time with the same hurdle race. NOTHING has changed in the life of that professor to come and study the law systems of some EU member states. Year after year, the same papers have been requested from her as from any other Ukrainian citizen. Contacts with embassies of EU member states are only possible on the basis of an appointment. Most embassies are only accessible on the phone one hour per day during the working hours of the applicant. Calling embassies for an appointment is a nightmare as their single available line is always busy, of course. Dialing the number of the embassy every minute has proved to be unsuccessful for days and days, if not for one or two weeks. The website of an embassy even mentions phone numbers that are all outdated and it is only through the Ukrainian Ministry for Foreign Affairs that a valid phone number could be obtained.

Once all the requested papers (invitation, employer's authorization, medical insurance, sometimes a bank statement about the amount available on the applicant's bank account!, etc.) have been gathered and an appointment has been fixed, that professor must ask his employer for a day off, buy a ticket for a night train (the only one) to go to Kiev (a 9 hours' journey to cover about 400 km!), queue outside the embassy whatever the weather starting two hours before the opening time, accept to be submitted to a bureaucratic inquisitive and humiliating 'interview', pay an exorbitant fee (according to Ukrainian standards) for the visa application, spend a whole day (and money) in Kiev (a very expensive city) before getting a night train back home and go back to work on the next day (after two almost sleepless nights). And the same scenario is repeated several weeks later if the application has been accepted.

With the enlargement of the EU, the freedom of movement of the Ukrainian citizens, including the academics, has been restricted year after year despite the European Neighborhood Policy. The last blow is the enlargement of the Schengen space to Poland. From the first of January 2008, Ukrainians will have to pay 35 EUR for a visa to Poland (the average retirement pension is 50 EUR in Ukraine). Would a retired European citizen accept to pay 2/3 of his monthly income just to be allowed to go to a neighboring country he had been able to visit freely for more than 50 years?

Is that visa facilitation? Is that the way the EU wants to promote its image among the Ukrainian population and help them integrate the European culture? Is that the way the EU wants to contribute to better relations and reconciliation between Ukraine and Poland, two countries which have experienced so many conflicts in their history? Is that the way the EU and its member states want to contribute to the development of the economy, the good governance, the rule of law of Ukraine.

### **Recommendations**

HRWH Int'l recommends to the EU and its member states

- to drastically simplify the procedure of access to Schengen visas for Ukrainian businessmen, scholars and students, and to grant them free of charge;
- to allow applicants for visas to introduce their requests through any embassy or consulate of an EU member state across the country, to be interviewed by any of them and to receive their visa from any of them free of charge.