



The Lviv Polish Visa Factory – Not Yet Profitable!

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Abstract:

In summer 2007, a few months before the entry of Poland into the Schengen area, the Lviv Polish General Consulate was accepting around a thousand and a half visa applications each day. However, the interest was greater and thus the numbers of people waiting to submit their documents in front of the consulate were not the indication of the real interest in Polish visas. Multiple-entry visas were being issued only until the end of 2007 and Ukrainian citizens traveling to Poland were not aware what would be the situation as of 2008 with Poland already in the Schengen zone. The article describes life in and around the consulate, the co-existence and fights between the consulate and the middlemen, the newly introduced short-term working visa as well as the scandal around the buying of a hypothetically free tourist visa by a Ukrainian journalist.

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The General Consulate of Poland in Lviv is placed in one of the most prestigious parts of the city – near the Stryis'kyi Park. The accompanying campsites with internet, buffets and the crowd or rather crowds of people have spread into the park and nearby streets. These people are Ukrainian citizens waiting for their turn to submit application documents for visas. At first glance the picture is one of chaos. Who are these people and what role they play in visa procedure? After spending several hours there, talking with applicants, middlemen, travel agents and the Consulate staff, the following picture arises.

Each day, and in all seasons, one and half thousand people gather near the Consulate to submit documents for visas. Those wanting to receive visa is an even higher number, around three thousand according to the Consul Mirosław Gryta. Since the establishment of the visa regime with Ukraine in 2003 the Lviv Consulate issues around 300 thousand mostly short-term visas per annum, out of 600 thousand for the whole of Ukraine. Because the number of applications was so enormous, the Polish Ministry of Foreign Affairs reversed a previous decision and allowed Ukrainians from western Ukraine to apply for visas in all Polish consulates in Ukraine, as of November 2006. 7 out of the Consulate's 14 staff deal with visa and citizenship issues, which is unchanged since 2003. They issue between 1300 to 1800 visas a day. The building which houses the Consulate is not sufficient to accept such a quantity of applicants, thus this year after long discussions with the city authorities they received permission for the construction of a new building, opposite the present one. The new Consulate will be ready in 2009 and its capacity to accept visitors will increase as there should be around 15 counters instead of 5.

To help with the facilitation of the visa procedure and regulation of the queue in front of the Lviv Consulate, internet registration for the submission of documents was introduced. Those who wanted to travel to Poland had to register in advance on the web page of the Consulate and would then receive a number and the date indicating when to come. It changed the situation near the Consulate and made order in regards to queues; everyone who had an appointed date and number submitted documents. With the introduction of internet



registration the services of middlemen changed. Soon after its introduction several campsites appeared near the Consulate which offered help with internet registration and the filling in of application forms.

In spring 2007 there appeared some problems with internet registration. All dates were booked 2 months in advance and those who wanted to register in May could not make an appointment until August. Moreover, registration was closed in July due to congestion. The Consul Gryta explained that there were 35-40 thousand registered people and they had to close registration until the end of September.

In the meantime the Polish and Ukrainian newspapers “Gazeta Wyborcza” and “Vysokyi Zamok” made an experiment near the Consulate. The journalist of “**Vysokyi Zamok**” Susanna Bobkova managed to get a visa without internet registration or entering the Consulate. With help of one middleman she received visa in 10 days, valid until 31.12.2007 for 130 USD. Her name was added to the list of employees of a renowned company, and she received the working visa without even asking for it. The Consulate rejects the accusations claiming that there is no corruption inside the Consulate and the guilt lies outside this institution, with the visa mafia near the Consulate. According to the Polish Ministry of Foreign Affairs their recent control of the Consulate, found no evidence of corruption. The Consulate announced that the system was blocked by hackers in order to force people use the service of middlemen. However, this information was not confirmed, because people made registrations from many different servers, which makes it unlikely that hackers could succeed in blocking the system in this way. To unblock the system the Consulate extended the office hours and it accepts visitors from 7am till 6pm every working day. Internet registration became available again in the summer.

Near the barrier on the opposite side of the street to the Consulate, people who registered through the internet and wait for their turn to go in. This is the biggest queue. The atmosphere is rather calm, since the weather is good, not too hot and not too cold and they know they will get in to submit their documents. They will receive visas the same day or at the latest the next day. A majority of them apply for a tourist ‘multi-entry’ visa which they need to go to travel, to work or to trade in Poland. Normally they can only get a 6 month visa with 90 days stay in Poland. But since this summer, the Consulate only issues tourist visas covering the period up till 31st December 2007, which is connected with Poland joining the Schengen zone on 1st of January 2007.

“Who else is for work?” - screams the Polish guard to the people gathered on the opposite side of the street. This is where there is one of the small privileged queues where mainly men are gathered. They have decided to use the new regulation law and to go to work legally in Poland. On 19th of July 2007, the Minister of Work and Social Policy in Poland introduced a policy allowing seasonal work of Ukrainians, Belarusians and Russians in Poland for 3 months during half of the year. The citizens of these states from now on can receive a working visa and they can work in all spheres of the Polish economy, not only in agriculture as was the case last year. The previous year the Polish government allowed the employment of Ukrainians seasonally to work in agriculture. This required the employers to register these workers, and this (along with social and medical insurance) resulted in extra expenditure for employer and thus low wages of employees, consequently both parties preferred to employ and work “na czarno” (black). Moreover, they mainly work in the spheres where Poles also work “na czarno”: construction, agriculture and housekeeping.



The procedure of issuing the short-term working visa is simple. For the people in this queue there is a special window open where they can submit documents without internet registration. All they need is a certificate about the nature of the employment from the employer registered in the Local Office of Work in Poland. The preparation of documents in Poland and issuing of the visa takes approximately one week. The short-term working visa is the easiest to receive; according to Mirosław Bieniecki from the Institute of Public Affairs in Warsaw maybe it will soon be the case that people wanting to go to Poland will use such visas.

“Is there an interest in working visas?” asks the Polish consul Gryta “rather no.” For the 147,853 visas issued in the first half of 2007 by the Consulate only 2432 were working visas including 1554 for seasonal work in agriculture. The number of people seeking short term working visas has only slightly increased since 19th July when the new law was issued. It is also not a secret for the Consul that the majority seekers of tourist visas in the Lviv consulate will work illegally in Poland or will undertake cross-border trade and the smuggling of alcohol and cigarettes, through which they can earn more than by working legally.

Those who have official invitation from Polish institutions have a chance to receive a visa without internet registration. That group consists of students, clerics, journalists, businessmen, scholars, etc. For them there is a ‘special’ queue near the Consulate gates. The people in that queue, at first glance privileged, can face several problems. The decision whether one can get into the Consulate often lies with the guards who decide whether one has sufficient documents. Olga Popovych, a student at Warsaw University had to wait 5 1/2 hours to submit documents and some other people can wait a few days near the consulate (see the separate article on her experiences). Sometimes even a letter from the Consul does not help one to enter the building.

One who wants to make visa more quickly, or does not have registration or grounds to join the special queue, has the option to use the service of the 50 or so middlemen gathered around the Consulate or travel agencies.

Using a travel agency when trying to get a visa could be problematic. Such services in the travel agency “Trident” costs around 100 UAH and leads to a visa is for 21 days; only Consulate registered travel agencies can make visas lasting this length of time. They also have to register their clients through the internet and the available date of opening the visa often does not match with the planned trip. Such practice causes financial losses for the companies involved. Iryna Mala, director of the agency “Trident” in Lviv indicated that last winter “our business was destroyed because of the visas, because the procedure of arrangement of the Polish visa... it’s so unpredictable... it can be 2 weeks or in 3 weeks or in 4 weeks, so you neither you nor the tourists can make any plans.” The travel agencies would prefer to have a settled day each week when they can make visas for clients, like they have in the consulates of several Schengen states. Because of this, the services of the travel agencies for making Polish visas are not very popular. During the summer months when there were problems with internet registration in Lviv the “Trident” agency had around 20 clients a month wanting to use their services in getting a Polish visa.

The middlemen can make a short term one entry visa (14 days) for the price of 120 UAH in five days and for 200 UAH in one day. “There is one guy here who once made me visa for 60



UAH. He knows people in the Consulate and enters it and makes visas,” – said one guy in the queue. Another lady near the fence who fills the application forms for 10 UAH offers the 14 days visa for 120 UAH, but it will be ready only in 5 days. The multi-entry tourist visa from the period till 31st January 2007 costs 400 UAH and it is made in the Odessa Consulate in 3-4 days.

“No, for us, everything what happens on the street it is not our business...,” says Consul Gryta, “it is business of the Ukrainian state of course.” The middlemen do not violate the law according to Denys Harchuk, the head of the Center of Public Affairs of the Lviv region militia. “Our officers keep public order near the Consulate,” indicated Harchuk “in order not to allow hooligan actions and incidents of cheating.” The purchase of a visa by the Lviv journalist is not perceived as a criminal action. The activity of the Ukrainian militia in the visa process is limited to prohibiting anyone from making photos of the queues and the Consulate. The city authorities took action to remove the campsites from the square around the Consulate in June, but soon after these sites appeared again. When electricity was cut, they started using generators. The attempts to receive comments about their position and action from the local city authorities failed.

The Ukrainian citizens and the Consulate staff in Lviv are waiting for the changes that will come with the entering of Poland into the Schengen zone. Whether the number of people in queues and the number of queues will change will only be seen after the start of the new year in 2008. How will the Polish Consulates deal with the applications starting from this summer, when they issue visas only till 31st December 2007? What will happen when all 300 000 people come to the Lviv Consulate in January 2008? It is an open question to the officials both in the Consulate in Lviv and in the Ministry of the Foreign Affairs. What is certain is that Ukrainians will have to pay 35 euros for a visa, to present additional documents in order to receive a visa (health insurance, invitation) and to have 100 PLN for each day of stay in Poland. This will be a problem for many Ukrainians. With the enlargement of the European Union and Schengen zone we are witnessing the building of new borders in Europe and as Mykola Riabchuk noted “Ukraine, Moldova and Belarus’ again appeared on the “wrong” side of the border, fenced from Europe with new curtain – not with “iron,” but rather with “paper”, which in a way is also oppressive and unbreakable for many.”

Table: The Visas issued in the General Consulate of Poland in Lviv and in Ukraine.

Year	2006	2007 (first half of the year)
Visas issued in Lviv (in total)	306 240	147 853
Short term	276 100	N/A
Long term	29 200	N/A
Refusals	(app.) 2 500	3 506
Visas issued in Ukraine	635 000	N/A

Source: The General Consulate of Poland in Lviv and the Ministry of Foreign Affairs of Poland.