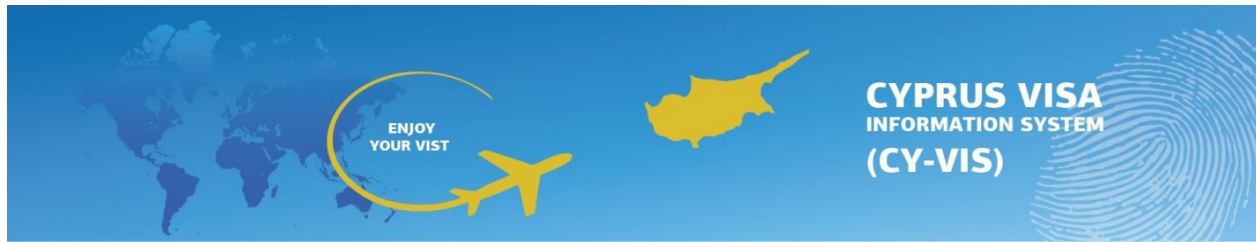


CYPRUS - VISA INFORMATION SYSTEM (CY-VIS)



WHAT IS THE VIS?

The Visa Information System (VIS) is a system for the exchange of visa data between Schengen states. The implementation of the VIS is a key element of the common visa policy, of the Schengen states. Essentially, the VIS is a central database with fingerprints and facial images (biometrics) of persons applying for a short-stay visa within the Schengen Area. The VIS facilitates the exchange of data between Schengen States on visa applications in order to ease procedures, prevent “visa shopping” and assist in the fight against fraud.

Cyprus is not yet a full member of the Schengen area and at this stage does not issue Schengen visas. However, the national VIS of Cyprus is being used only for the management of visa applications submitted to the Embassies and Consulates of the Republic and exceptionally at the points of entry.

Competent Authority for VIS is the Ministry of Foreign Affairs. The national VIS is not connected to the central VIS database and the Ministry of Foreign Affairs and does not have the possibility to exchange information with the respective Authorities of other Member States.

The main objectives of the VIS are to facilitate visa application procedures, to facilitate checks at external borders and to enhance security.

ADVANTAGES OF THE VIS

Facilitating visa procedures: The VIS allows Schengen Member States to determine a visa applicant's reliability more easily. The VIS helps Schengen Member States to verify whether an applicant has used previous visas lawfully. These checks facilitate the visa issuance process, particularly for frequent travellers.

Streamlining of border checks: When arriving at an external border of the Schengen Area, the visa holder's biometric data is checked to confirm his/her identity. This leads to more accurate processing and greater security.

THE VIS IN PRACTICE

Applicants need to appear in person for the collection of the biometric data: 10 fingerprints (*not applicable yet*) and a digital photograph is collected from persons applying for a visa. These biometric data, along with data provided in the visa application form, are recorded in a secure central database.

When the visa holder arrives at the external border, the border authorities have access to the VIS to verify the identity and the authenticity of the visa. These procedures improve the security of the Republic of Cyprus.

LEGAL BACKGROUND

- Council Decision (EC) no. 2004/512 of 8 June 2004 establishing the VIS, OJEU L213, 15.6.2004, p. 5.
- Regulation (EC) no. 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the VIS and the exchange of data between Member States on short-stay visas (VIS Regulation), OJEU L218, 13.8.2008, p. 60.
- Council Decision 2008/633/JHA of 23 June 2008 concerning access for consultation of the VIS by designated authorities of Member States and by Europol for the purposes of the prevention, detection and investigation of terrorist offences and of other serious criminal offences, OJEU L218, 13.8.2008, p. 129.
- Regulation (EC) no. 81/2009 of the European Parliament and of the Council of 14 January 2009 amending Regulation (EC) No 562/2006 as regards the use of the Visa Information System (VIS) under the Schengen Borders Code, OJEU L35, 4.2.2009, p. 56.
- Commission Decision (EC) no. 2010/49 of 30 November 2009 determining the first regions for the start of operations of the Visa Information System (VIS), OJEU L23, 27.1.2010, p. 62. Regulation (EC) no. 810/2009 of the European Parliament and the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code), OJEU L243, 15.9.2009, p. 1.

ACCESS TO THE VIS AND DATA PROTECTION

Who can access VIS?

Access to the VIS for entering, amending, deleting and consulting data is reserved exclusively to duly authorized staff of competent authorities. The VIS may in particular be consulted for the following purposes:

- Examination of visa applications and decisions related thereto;
- Carrying out checks at external borders to verify the identity of the visa holder and/or the authenticity of the visa;
- Identification and return of illegal immigrants;
- Facilitating the determination of the Member State responsible for examining an asylum application.

Data is kept in the VIS for 5 years.

How is my data in VIS protected?

All personal data processed in relation to visa applications is carried out according to REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 (**General Data Protection Regulation (GDPR)**) and the National data protection legislation (**Law 125 (I)/2018**).

Access to VIS data is limited to authorized staff for the performance of their tasks. They must ensure that the use of VIS data is limited to that which is necessary, appropriate and proportionate for carrying out their tasks.

The lawfulness of processing VIS personal data is supervised by the Commissioner for Personal Data Protection who is the **National Supervisory Authority**.

Rights of individuals (data subjects)

In accordance with General Data Protection Regulation (GDPR) any person has the right to be informed about his/her data in the VIS and may request access to his/her data and that inaccurate data about him/her be corrected, and that unlawfully recorded data be deleted.

- **Right to be informed** – The right to information allows individuals to know what personal data is collected about them, why, who is collecting data, how long it will be kept, how they can file a complaint, and with whom they share the data.
- **Right of access** – Individuals have the right to get access to their personal data that is being processed in the VIS. This request provides the right to the data subjects to request from the data controller to see or review their own personal data, as well as to request copies of the personal data.
- **Right to rectification**– The data subjects have the right to rectify inaccurate personal data or have it fully completed if the information is not complete.

- **Right to erase ('right to be forgotten')** – the right to erasure means that individuals have the right to request that their personal data is erased
- **Right to restriction of processing** – This right entitles you to have the processing of your data restricted. "Restriction of processing" generally means **limiting how a controller can use your personal data**. If your personal data is restricted, then the controller may only store it, and cannot further use it without your permission.

Forms

For any request or complaints please contact:

Data Controller of VIS - Any request can be submitted electronically to info@mfa.gov.cy or by post to: Ministry of Foreign Affairs, Presidential Palace Avenue, 1447 Nicosia, Cyprus, <https://mfa.gov.cy>

Data Protection Officer of MFA - For any further questions, you may contact the Data Protection Officer of the Ministry electronically to: dpo@mfa.gov.cy or by post to the abovementioned address.

Supervisory Authority of VIS - Complaints may be submitted to the Data Protection Commissioner, which is an independent Supervisory Authority, to the postal address: PO BOX 23378, 1682 Nicosia, Cyprus or electronically to: commissioner@dataprotection.gov.cy www.dataprotection.gov.cy

Refusal of a Visa and Appeal

If your application has been refused you have the right to file recourse against the decision, to the **Administrative Court** of the Republic of Cyprus in accordance with Article 146 of the Constitution of the Republic of Cyprus within 75 days from the date of receipt of the notification.

For more information, please contact:

Administrative Court,
Charalambos Mouskos Street, 1404 Nicosia, Cyprus,

e-mail: administrativecourt@ac.judicial.gov.cy
website: www.supremecourt.gov.cy