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Researching Mobility Barriers: The European Visa Database

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Abstract

This research note describes the content of a new European Visa Database of relevance to analysts interested in exploring and explaining the causes and consequences of contemporary policy barriers to mobility. It briefly introduces the existing literature, position the empirics in this context and discusses some options and pitfalls in using the data. The dataset covers three key dimensions of mobility regimes: visa requirements, consular coverage abroad and issuing practices. Hitherto, this information has not been available in a format easily amenable for research. The database collects and presents the public government data in a systematized and readily viewable form, thereby considerably reducing the entry barriers for future studies of migration control policy. It also contains a Mobility Barriers Index providing restrictiveness scores taking all three dimensions into account. By making this information available, the database seeks to facilitate and encourage further quantitative inquiry into mobility barriers, and provides a tool for qualitative researchers to contextualize their findings in a wider landscape of cases.

Key words

Visa, Schengen, European Union, Migration, Mobility, Database

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Introduction

The global flow of goods, capital and services is today considerably liberalized. Impediments to trade, such as tariffs and quotas, have been reduced or all together abolished through in particular international free trade agreements. Yet most if not all advanced industrial economies continue to have strict rules and practices in place to govern the movement of persons across borders (Goodin 1992; Kukathas 2011). Understanding and explaining the causes and consequences and assessing the normative justifiability of the persistent policy barriers to migration and mobility is an important topic of research within the social sciences (Bauman 1998; Carens 1987; Cornelius 2005; Freeman 1995; Joppke 1998; Money 1999; Zolberg 1999).

There are two major strands of inquiry within this field. The *first* line of research is based – implicitly or explicitly – on a liberal understanding of international politics (Keohane 1986). The barriers to movement are studied because of their negative implications for peace and prosperity, and in the hope that they can be progressively removed or at least mitigated.¹ Free movement is also, at least to some extent, understood as an individual right which ought only to be curtailed in exceptional circumstances (Carens 1987; Kukathas 2011). The problematic effects of policy barriers to mobility are considerable. Neumayer (2010, 2011), for example, has shown that short-stay visa requirements have a major negative impact on levels of cross-border travel and trade. Reviewing existing research, Clemens (2011) finds that liberalizing global labour markets would have significant redistributive effects and a massive net positive impact on the global economy. Hatton (2004) argues that visa rules, in combination with other measures to limit access to territory, severely reduced the number of asylum-seekers arriving in Europe during the 1990s. In this way, the barriers more generally prevents the establishment of the transnational societal links needed for the forging of stable security communities amongst states (Deutsch 1954).

The *second* strand is part of a broad tradition of critical theory (Cox 1981; Foucault 1991). It is concerned with the effects of barriers on the lives of migrants, especially irregular border crossers and refugees in precarious positions. The approach taken is to interrogate the technologies and political economy of border control. Bigo (2000), for example, shows how threats are produced,

¹ A small group of scholars defend continued restrictions on the free movement of people (Miller 2000; Walzer 1983). Their main concern is labour migration. Here, they uphold the right of a pre-existent democratic community to decide on its own entry policy. Refugees are generally recognized to have some right of entry. Cross-border movement for other purposes are not analysed in detail.

contested and legitimized in a field of security professionals which is constituted through the dispersal of knowledge and techniques of risk management. Bigo and Guild (2005) argue that visa requirements is a form of 'remote policing' which reallocates identity control beyond territorial borders while at the same time creating spaces of belonging and exclusion. In line with this, Huysmans (2006) contends that the meaning of free movement is itself a product of the deployment of for example visas and biometric identity documents. These technologies create mobile and immobile subjects.

For both liberal and critical theory approaches short-stay visas are a key area of interest. For the former they constitute an important barrier to travel, trade and the access of refugees to protection. The latter furthermore emphasises their role in framing the practical meaning of free movement, and the creation of zones of inclusion and exclusion. In general, a visa can be defined as a "document issued in the country of origin (or residence) of the individual by the authorities of the state to which he or she wishes to go." (Guild 2009: 118). If a state has imposed a visa requirement citizens of the country in question have to apply for a visa to enter legally.²

Existing qualitative research on mobility control has mainly studied policy documents, in particular those detailing the setup of new technologies of visa-processing as well as visa legislation (Bigo and Guild 2005; Huysmans 2006; Munster 2009). This material has provided detailed insights into the ways through which new modes of regulating movement has been developed. Moreover, these sources have served as useful heuristic devices for conceptualising different dynamics in governing mobility. Policy documents, however, only provide a partial view of the actual practices of control. It might be quite different from what is implemented on the ground in consulates abroad. For example, official European visa-issuing rules might in practice be interpreted quite lenient when it comes to applications from major trading partners such as Russia.

Quantitative comparative studies have made use of two different data sources.³ Neumayer and Hatton draw on information on visa requirements in force published by the International Travel Association. Using this raw data Neumayer (2006) has compiled a global dataset of visa

² The possession of a valid travel visa does not necessarily guarantee access to the state's territory (Guild 2009: 184). A person might still be turned away at the border for failure to comply with other entry criteria.

³ Existing quantitative datasets have mainly been developed to map the scale of migration: How many migrants live in a country? What is their nationality? How many move from one state to another? Fewer datasets, in contrast, capture variation in state policy (Impala 2011; but see Mipex 2011).

requirements, a main strength of which is that it includes all country-pairs in the world. The key drawbacks are that it only covers a single year, and only contain a variable on whether a visa requirement is in force or not. Whyte (2008) and Mau (2010) make use of the so-called Henley index over travel restrictions. Similar to Neumayer, this index measures how many countries a national of a given state can travel to without needing a visa. Mau also draws on US government data on visa refusal rates. The key drawback with the Henley index is, as with Neumayer's data, that it only covers whether a visa requirement is in force or not. Additionally, the index was put together by a private organization and the method it used in compiling it is not transparent (For a longer discussion see Whyte 2008).

This research note sets out the content of a new dataset, the European Visa Database, containing comprehensive information on the visitor visa requirements, consular coverage abroad and issuing practices of European Union (Schengen) states.⁴ These three variables capture three key dimensions of contemporary international mobility regimes: whether a visa is required in order to travel, where applications can be lodged, and how restrictively visa rules are enforced. By *international mobility* I understand the movement of persons across territorial state borders. It is thus an overarching concept, covering permanent, temporary and cyclical migration as well as short stays in order to conduct business, visit friends and relatives or for tourism. I define a *regime* as a “governing arrangement[]” that include ‘networks of rules, norms, and procedures that regularize behaviour and control its effects’” (Keohane and Nye 1977: 19, cited in Krasner 1982: 186).

Data on these dimensions have hitherto been available from governments and EU institutions, but in a scattered and not easily accessible form. The database compiles and systematizes the public data making it much easier to use. Hopefully, this should reduce barriers for future comparative research into the instruments and practices in place to manage the movement of people across borders.

The remainder of the research note describes in more detail how the dataset was constructed and sets out a number of ways in which the information can be accessed and used.

⁴ The database can be accessed via www.mogenshobolth.dk/evd.

The construction of the database

The database collects and makes easily available a wide range of information on European visa policy and practice.⁵ The primary empirical basis of the dataset is secondary legislation and information exchanged between European Union (EU) member states in relation to the development and operation of the EU's common visa policy. The time-period covered is 2005 to 2010 (six years in total) though for visa lists the information goes back to 2001.

The unit of analysis is pairs of receiving and sending countries in different years. A data point is, for example, France (receiving country) in Algeria (sending country) in 2005. All in all, the database for the period from 2005 to 2010 contains 35.640 measurements.

On the receiving country side the dataset first and foremost contains information on the members of EU's common visa policy (the Schengen area). From 2005 to 2007 the circle of participants included 13 EU-states and 2 non EU-states (Norway and Iceland). From 2008 to 2010 nine additional EU-states joined up (i.e. all the new member states except Bulgaria, Romania and Cyprus).⁶ The database, additionally, contains information on the United Kingdom (UK) and the United States (US). There is also data on the new member states' visa-issuing practice in the years before they fully joined Schengen.

The database covers all sending countries. In the case of Germany, for example, the database contains information on the mobility barrier faced by all non-German nationals. For each receiving state there is information on 198 potential sending countries. The list of world countries is based on European visa legislation.

The data sources are as follows. I assessed the receiving countries visa requirements using legislative acts and background government papers setting out changes in the rules (OJEU 2001, 2003, 2006, 2009, 2010a, 2010b; Siskin 2004, 2005, 2006, 2008, 2009, 2010, 2011; TSO 2006a, 2006b, 2009; UKBA 2007). Information on visa-issuing practices were taken from government overviews detailing the number of visas applied for, issued and refused at different consulates

⁵ An in-depth description of the data and the coding process can be found in the codebook available on the database webpage.

⁶ The new member states joined late December 2007. In the database they are coded as being members from 2008 and onwards.

abroad or for different nationalities (COM 2011; Council 2006b, 2007b, 2008b, 2009, 2010b; DOS 2011a, 2011b; UKBA 2008, 2009a, 2009b). The extent of consular services abroad, finally, was measured using a set of tables on diplomatic representation in third countries put together by the Council's General Secretariat (Council 2004, 2005, 2006a, 2007a, 2008a, 2010a; OJEU 2002). This information describes both where the member states have their own consular representation for the purposes of visa-issuing and the locations in which they are represented by another member state. Norway, for example, handles visa applications on behalf of Sweden in several sending countries.

The coding was generally done in two steps. I first converted raw tables contained in PDF files to excel using a software tool developed by the company ABBYY. Second, using ASP.NET computer scripts I then imported the excel files to a database (cf. Høyland et al. 2009).⁷ I checked the accuracy of the conversion process by comparing selected parts of the content of the raw data with the final version in the database.

Using the database

The information covered by the database is intended to be of special relevance to researchers working on different forms of mobility. In the context of permanent migration visitors visas are a key instrument used to prevent circumvention of controls through irregular entry (Zolberg 2003). In relation to refugee policy, short-stay visas are used by destination countries to prevent prospective applicants from showing up at the territorial border and claim asylum (Collinson 1996). Finally, visitor visas put barriers in place for temporary trips to, for example, meet friends and relatives (Neumayer 2006). The data presented here should hopefully be of relevance for increasing our knowledge of the role and impact of visas in these specific areas. The database can be used to answer two main groups of research questions:

The *first* concerns the size of bilateral travel flows. What is the extent of movement across borders? How dense are the relations between different countries? Is mobility tightly structured along key channels or more diverse? The information on the travel permits issued by the receiving states can be used to probe these questions. An interesting potential of travel visa permits is that it might provide an improved picture of irregular migration flows. Existing research suggests that most clandestine migrants arrive on a visitor visas and subsequently overstay (Jordan and Düvell 2002;

⁷ All raw-files and computer scripts are available upon request.

Triandafyllidou 2010). Investigating in detail patterns in the visas issued might thus improve our assessment of the extent of this form of migration. It should be noted, though, that even if a permit is issued it might not end up being used (Gamlen 2010: 10). Nor are persons travelling without required documents captured.

The *second* relates to the structure of international mobility regimes, and variation in the restrictiveness of policy barriers to mobility. The main purpose of the dataset is to aid in answering this group of questions: How similar or different are receiving countries in their policy and practice, and why? In what ways can we account for potential variation in the restrictiveness across different sending countries? In what states is it not even possible to hand in visa applications? Where are the rules enforced in the most restrictive way? What are the key drivers of mobility regimes?

Here, the database enables us to move beyond a sole focus on permit requirements and also look at visa-issuing practices and access to consular services. This is important because policy barriers to mobility are likely to vary between sending countries on visa lists. For example, both Pakistani and Indian nationals currently need a visa to travel to Europe. But the barrier might still be very different if the extent of consular coverage and the enforcement of the issuing rules vary considerably. Furthermore, the receiving advanced industrial economies are often relatively similar in their visa lists. Amongst the Schengen states visa requirements are even almost fully harmonized. Hence, looking solely at these would not enable us to pick up potential variation in their mobility regimes. Capturing such variation could provide important insights into how international mobility is governed and in what ways movement could potentially be liberalized.

The information in the database can be accessed via a webpage. It is possible to search the dataset for information on particular years, sending and receiving countries. The data can be viewed on the screen as a table, visualized on a world map and downloaded in excel format for further processing. There are four main entry points to the database:

Exploring visa requirements

This part of the database contains a set of tools for identifying variation in visa requirements. It is possible to search for information on particular sending and receiving countries and investigate

trends over time. Visa lists do not change frequently and the database therefore also provides an easy search option for identifying these key interesting shifts in permit requirements.

Exploring visa-issuing practices

This section can be used to search out statistics on the number of visas applied for, issued and refused. Specific information on individual pairs of sending and receiving countries for the years covered can be accessed. This dimension of the dataset makes it possible to estimate travel flows and explore variation in the restrictiveness of visa-issuing practices. It is for example possible to list visa data for Algerians seeking to visit France.

The restrictiveness of a receiving country's visa issuing practice is estimated in existing research using the visa refusal rate or its mirror image, the recognition rate (Guild 2010; Hobolth 2011; Mau 2010). The refusal rate is calculated as the number of refusals divided by the total number of visa decisions (refused plus issued). The key idea behind this measure is that it provides an approximation of how wide or narrow the issuing criteria are enforced when applications are processed. The larger the share refused the fewer persons is deemed to fall within the scope of what constitutes a legitimate traveller. The refusal rate captures important variation in the enforcement of visa rules which is otherwise simply ignored. There are, however, a set of challenges with the measure.

Firstly, in many cases it is difficult to hand in an application. For example, in conflict countries it might be associated with considerable dangers to travel to a consulate.⁸ Embassies might also outright refuse to accept applications from persons with certain types of passports, or only allow holders of e.g. diplomatic passports to lodge requests. In some sending countries purpose limitations might be in place: applications are only allowed for visits concerning for example family or business purposes. Secondly, the visa fee, documentary requirements and the strain of the process as such also deter some from applying. These two dynamics introduce a potential bias in the estimate. In some sending countries the refusal rate might be low but the mobility barrier in practice high, if a receiving state has directed particular attention towards preventing people from applying in the first place. This means that caution should be exercised when comparing refusal rates across

⁸ There might also be considerable control of internal mobility and international travel in some countries (e.g. through exit visas).

countries. The Mobility Barriers Index described in more detail below tries to at least partly address these problems.

Exploring access to consular services

This part makes it possible to identify variation in consular representation. It provides overviews of where the receiving states have diplomatic representation for visa-issuing purposes. What receiving countries are represented where? Are there some receiving countries where it is not even possible to hand in visa applications? This section also gives information on the extensive consular cooperation between European Union Schengen states.

The Mobility Barriers Index

In several situations a sole focus on either visa requirements, visa issuing practices or consular services are likely to be problematic. For example, a conclusion on the effect of an independent variable (such as religion) on mobility barriers might be biased if it is only based on the subset of countries facing a visa requirement and ignore those without. Hence, for some research purposes it would be relevant to construct an index which measure restrictiveness across all three dimensions.

The fourth and final part of the database gives access to such an index: The Mobility Barriers Index. It is an ordinal scale with four categories. A score of 0 indicates that there are no policy barriers to the mobility from a sending country to a receiving country in a given year. 1 means that there are low barriers; 2 medium; and 3 high.

The index was constructed stepwise. I started by coding all cases where no visa requirement was in force as instances of no policy barriers (score 0). For the remainder of cases I started by looking at the visa refusal rate. If the figure was below 5% (corresponding to the first inter-quartile of the total dataset) I assigned a score of 1 to the case (low barrier). If the figure was between 5% and 20% (second and third inter-quartiles) I assigned the value 2 (medium barrier). Finally, where the figure was above 20% (the fourth inter-quartile) I coded a 3 (high barrier). In the cases characterized by no access to consular services I assigned a score of 2 (medium barrier). Hence, in this way the index addresses the problem which lack of consular representation can create in the data, as identified above.

I then turned to the problem with the refusal rate that it does not measure how receiving countries are able to prevent applications from being lodged in the first place. To take this into account I inspected visa application figures and developed a model of the expected amount of applications for a given pair of receiving and sending country considering their population sizes and the travel distance between them. This model was then used to reassess the cases assigned a score of 1 and 2. If the number of received applications was considerably lower than expected (20% of the estimate) I moved the case one up, e.g. from score 2 to 3. This approach contains problems. Even very low application figures could – arguably – be a result of a low demand for travel and not barriers put in place by receiving states. Nevertheless, it is a clear improvement of leaving the issue unaddressed. In particular, introducing the penalty score provides a better estimate for conflict-ridden countries such as Iraq where most receiving states accept few applications.

Conclusion

This research note has set out the content of a European Visa Database containing information on three key dimensions of international mobility regimes: permit requirements, issuing practices and access to consular services abroad. The key aim of the database is to provide a tool for improving our understanding of the causes and consequences of the persistent barriers to the free movement of people across borders.

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