



AJA Arbeitskreis gemeinnütziger
Jugendaustauschorganisationen

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Statement of Consultation on EC Directive 2004/114

Future rules on the entry and residence of non
EU-national researchers, students, school pupils,
unremunerated trainees and volunteers in the EU

AJA organisations are the leader for pupil exchange schemes in Germany. This effort has been making a substantial contribution to youth mobility for decades.

AJA (Arbeitskreis gemeinnütziger Jugendaustauschorganisationen) is the **umbrella organisation of non-profit, educational youth exchange organisations in Germany**. The organisations have been implementing long-term (one-year) intercultural, educational pupil exchange programs for the last 60 years all over the world. The programs consist of selection, preparation, counselling of program participants (pupils, parents, host families) on the basis of specific educational, exchange-oriented concepts.

The main aim of AJA is strengthening the awareness of and knowledge about the educational effects of international secondary school exchange. Furthering long-term individual pupil mobility has been one part of Germany's foreign cultural and educational policy. Our aim is to intensify the support of long-term youth exchange programs through political institutions with third national countries (esp. with countries in Eastern and South-Eastern Europe, Africa and Asia).

In Germany, AJA and its member-organisations are leader for pupil exchange schemes. Nearly 2700 school pupils coming from overseas every year and nearly 2000 attending pupil exchange schemes of AJA members.

AJA ist der Arbeitskreis gemeinnütziger Jugendaustauschorganisationen. Seine Mitglieder führen – gestützt auf ehrenamtliches Engagement – weltweit langfristige, bildungsorientierte Schüleraustauschprogramme durch. Unabhängig von Hautfarbe, Religion und politischer Überzeugung sollen das interkulturelle Lernen, Verständigung, Toleranz und der Respekt für andere Lebensweisen gefördert und damit Friedensbemühungen unterstützt werden.

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The Council Directive EU 2004 / 114 on the conditions of admission of third-country nationals for the purpose of studies, pupil exchange, unremunerated training or voluntary service will be a guideline of EU perspective on youth mobility from third-country nationals. The overall objective is to promote Europe as a world centre of excellence for studies (which also includes school pupil exchange programs). This Directive also has to be seen in the context of the upcoming European program *Erasmus for all*. One of the main aims of both programs is to increase youth mobility.

At this point, it should be noted, that the migration defined as temporary in the Directive does not depend on the labour-market situation in the EU. In this regard, the legislative framework has to make the EU more visible, accessible and attractive to third country youth.

The highlighted examples give a short overview of the problems, the exchange organisations currently face. Over the past 10 years, the visa application process become more complicated for the pupil exchange organisations and has highly affected the pupil exchange schemes, unfortunately in a very negative way. A lack of transparency in the visa application process, a lack of consistency of regulations, high costs for visa fees, requirements for deposit guarantees for pupils, long waiting times and delays for issuing visa and residence permits leading to extra costs for flights; all these aspects neglected the significant value of the intercultural dialog among youth.

In Terms of visa and residence permits the accessible and visible procedure consists of a lack of transparency:

The processes of visa application entail a high number of unreasonable procedures. Major problems are the long waiting times and delays for issuing a visa as well as a lack of communication between pupil exchange organisations and embassies and/or departments of home affairs. Waiting times can be range from one week up to several months. As a result of long waiting processes for the pupils, the exchange organisations are faced with planning difficulties which results e.g. in costs for extra flights. Another problem in certain countries is the requirement of deposit guarantees for school pupils. In order to obtain a visa, the school pupils must have substantial funds in a bank account. Also language proofs which emphasise speaking the language of the host-country (EU) prior to arrival are an absurd requirement the school pupils face.

Residence permits should be bound to the entire organisation and not to the host families, but pupil exchange organisations cannot officially invite pupils. Furthering a lack of consistency of regulations results into bureaucratic processes at aliens department at home affairs for the host families. It can be given that law regulations for pupil exchange schemes covered by different interpretations at departments and this result in unreasonable requirements towards host families. These requirements can range from guarantee forms like income statements up to police clearance certificates. Finding host families is a gradual process and host families give a great commitment towards the school pupil exchange schemes. But with such requirements it become more and more difficult to find host families.

Regarding to Article 9 (b) at the Council Directive EU 2004 / 114 pupils must have the chance to apply for visa, although they finished school in their home country:

School systems in each country differ from each other, so it is more than important to allow young people to participate in exchange programs if they have just finished secondary education.

In terms of increasing pupil mobility the attractiveness of the EU must be improved to give pupils of each country the opportunity to take part in school exchange schemes:

The processes of visa application with third-country nationals consists – as mentioned above – of complex application procedure and absurd requirements for pupils e.g. financial and language proofs or specific documents like notarization of birth certificates. For that reason, pupil exchange programs with specific third-country nationals do not even exist, e.g. with African countries or with South-Eastern Europe countries.

The EU and/or the Member State should recognise and promote long-term pupil exchange schemes as significant programmes for intercultural dialog among the youth. Therefore the guideline of the EC Directive 2004 / 114 must provide the structure to reduce the complexity of administration procedure for obtaining visa and residence permits for school pupils attending a school exchange scheme by:

- increasing transparency in the visa application process and enabling better communication between pupil exchange organisations and embassies;
- establishing fast track line processes for school pupils attending school exchange schemes and making these mandatory for the Member States;
- preventing a lack of consistence of regulations which effects the application process deeply;
- preventing absurd requirements like financial proof and language proof for school pupils;
- having each embassy and aliens department at home affairs recognise the guarantee forms by pupil exchange organisations.