



Brussels, 26.6.2023  
C(2023) 4053 final

**COMMISSION IMPLEMENTING DECISION**

**of 26.6.2023**

**amending Implementing Decision C(2014) 6146 as regards the list of supporting documents to be submitted by applicants in Kenya for short stay visas**

(Only the Bulgarian, Croatian, Czech, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish text are authentic)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)<sup>1</sup>, and in particular Article 14(5a) thereof,

Whereas:

- (1) Regulation (EC) No 810/2009 lays down the procedures and conditions for the issuing of visas for intended stays on the territory of Member States not exceeding 90 days in any 180-day period.
- (2) In order to ensure a harmonised application of the common visa policy taking into account local circumstances, Article 48(1a), point (a) of Regulation (EC) No 810/2009 provides that the harmonised lists of supporting documents to be submitted by visa applicants should be drawn up through local Schengen cooperation in each jurisdiction.
- (3) Annex II to Implementing Decision C(2014) 6146<sup>2</sup> sets out the list of supporting documents to be submitted by applicants for short stay visas in Kenya.
- (4) Following a renewed assessment taking local circumstances into account, the local Schengen cooperation has confirmed that the harmonised list of supporting documents to be submitted by visa applicants in Kenya needs to be revised. That list should be restructured to improve clarity and further increase harmonisation. The revision should also take account of the experience gained in applying the previous list, by further specifying the documents to be submitted by applicants travelling for the purpose of medical treatment, tourism, sports events, business, and visiting family and friends. The documents to be submitted with an application for an airport transit visa should be added to the list. Documents that have become obsolete should no longer be included in the list. The Commission agrees with this assessment.
- (5) For applicants that are known to consulates for their integrity and reliability, it should be possible for those consulates to waive the requirements of Article 14(1) of Regulation (EC) No 810/2009, in accordance with Article 14(6) of that Regulation. It should also be possible, in justified cases, for consulates to request additional

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<sup>1</sup> OJ L OJ L 243, 15.9.2009, p. 1.

<sup>2</sup> Commission Implementing Decision of 3 September 2014 establishing the list of supporting documents to be presented by visa applicants in Cape Verde, Kenya and the Philippines.

documents during an examination of an application, in accordance with Article 21(8) of Regulation (EC) No 810/2009.

- (6) Given that Denmark decided to implement Regulation (EC) No 810/2009 which builds on the Schengen *acquis* in its national law, in accordance with Article 4 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is bound under international law to implement this Decision.
- (7) This Decision constitutes a development in the provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC<sup>3</sup>. Ireland is therefore not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (8) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis*<sup>4</sup>, which fall under the area referred to in Article 1, point B of Council Decision 1999/437/EC<sup>5</sup>.
- (9) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*<sup>6</sup>, which fall under the area referred to in Article 1, point B of Decision 1999/437/EC, read in conjunction with Article 3 of Council Decision 2008/146/EC<sup>7</sup>.
- (10) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*<sup>8</sup>, which fall under the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU<sup>9</sup>.

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<sup>3</sup> Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

<sup>4</sup> OJ L 176, 10.7.1999, p. 36.

<sup>5</sup> Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

<sup>6</sup> OJ L 53, 27.2.2008, p. 52.

<sup>7</sup> Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

<sup>8</sup> OJ L 160, 18.6.2011, p. 21.

<sup>9</sup> Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss

- (11) This Decision constitutes an act building upon, or otherwise related to, the Schengen *acquis* within the meaning, respectively, of Article 3(2) of the 2003 Act of Accession and Article 4(2) of the 2005 Act of Accession.
- (12) Implementing Decision C(2014) 6146 should therefore be amended accordingly.
- (13) The measures provided for in this Decision are in accordance with the opinion of the Visa Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

Annex II to Implementing Decision C(2014) 6146 is replaced by the text in the Annex to this Decision.

*Article 2*

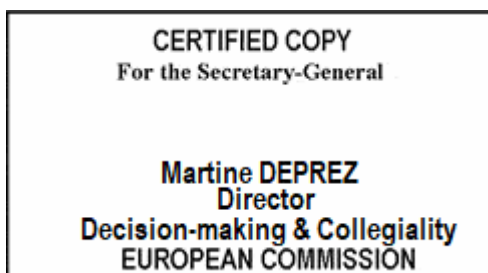
This Decision is addressed to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland and the Kingdom of Sweden.

Done at Brussels, 26.6.2023

*For the Commission*

*Ylva JOHANSSON*

*Member of the Commission*



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Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).



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ANNEX

**ANNEX**

*to the*

**Commission Implementing Decision**

**amending Implementing Decision C(2014) 6146 as regards the list of supporting documents to be submitted by applicants in Kenya for short stay visas**

## ANNEX

### List of the supporting documents to be submitted by applicants in Kenya for short stay visas

#### I. General requirements for all applicants

1. For non-Kenyan citizens: Kenyan proof of residence, valid for at least 3 months from the date of intended departure from the territory of the Member States.
2. Proof of sufficient means of subsistence for the intended journey:

Certified bank statement (covering the last three months) including bank account movements and final balance. This does not apply to pupils.

  - (a) Employees: employment contract or certificate of employment, and pay slips of the last three months.
  - (b) Company owners: copy of company registration in the *The Companies Registration Office*, bank statement(s) for the company including bank account movements covering the last 3 months and balance sheet from the previous financial year.
  - (c) Students: purpose of study, proof of financial solvency of parents or proof of sufficient funds for entire stay.
  - (d) Retired persons: pension payment for the last three months.
3. Proof of return travel arrangements.
4. Proof of accommodation or proof of sufficient financial means to cover accommodation expenses.
5. Additional requirements for minors (under 18 years)
  - (a) Copy of birth certificate.
  - (b) Copy of both parents' ID-cards.
  - (c) Certified bank statement (covering the last three months) of parent(s)/guardians(s)/sponsors.
  - (d) Written consent letter from both parents certified by notary if the child is travelling alone, or from the parent that is not accompanying the child when travelling. The letter should include the parent(s)' telephone and e-mail contacts.
  - (e) If either one of the parents is absent or deceased, this must be evidenced by the information on the birth certificate or a death certificate or a Court Order for the custody.
  - (f) If the legal guardian is someone other than the biological parent as stated in the birth certificate, a custody order must be submitted proving the legal guardianship.
  - (g) A letter from the school containing the child's name, name of parents, grade, number of years at school, dates of school holidays, contact details, date and name of school representative.
  - (h) If the child is travelling with a group: a complete list of names of all group members travelling and name of person in charge of the group.

## **II. Documents to be submitted depending on purpose of travel**

### **1. Tourism**

- (a) The hotel booking or proof of accommodation and detailed travel itinerary.
- (b) If an employed person, a signed letter from current employer containing the following information:
  - i. Personal data, function/profession;
  - ii. Terms of employment (temporary or permanent);
  - iii. Starting date of employment;
  - iv. Monthly net salary;
  - v. Number of years with employer/organisation;
  - vi. Granted leave days;
  - vii. Date and contact details of the employer.
- (c) If a self-employed person, copy of Kenya PIN Certificate.
- (d) If a retired person, documents proving pension or other financial support.
- (e) If a student, a statement from the faculty:
  - i. confirming a tuition break during the intended travel period or;
  - ii. approving the student's absence.
- (f) If a pupil, a statement from the school:
  - i. confirming school holidays during the intended travel period or;
  - ii. approving the pupil's absence.
- (g) If other cases, any other documents relating to personal ties in Kenya, like marriage certificate, title deeds or lease agreements.

### **2. Business**

- (a) Written invitation from the inviting party containing the following information:
  - i. the name and address of the inviting party;
  - ii. the name and position of the person signing the invitation;
  - iii. the registration number of the inviting party;
  - iv. detailed information on the purpose of the visit;
  - v. personal data of the invitee;
  - vi. the reason for visit to the Member State of destination and expected duration of stay;
  - vii. date and contact details.
- (b) Written proof that the inviting party will cover all expenses or that the sending company will cover all expenses, or written proof that a third party will be responsible for financial support.

- (c) If an employed person, signed letter from current employer or organisation containing the following information:
  - i. personal data;
  - ii. function/profession;
  - iii. terms of employment (temporary or permanent, begin and end dates of the contract);
  - iv. number of years with employer/organisation;
  - v. purpose of the visit;
  - vi. who will be responsible for financial support during the time the applicant is in the Schengen area.
- (d) If a self-employed person, copy of Kenya PIN Certificate.
- (e) If attending a conference which requires prior registration, proof of registration and receipt for registration fee.

### **3. Private visit**

- (a) If relevant, proof of sponsorship and/or private accommodation by means of an official national form.
- (b) Invitation letter, if relevant, containing the following information:
  - i. the length of the stay;
  - ii. details on the relation between the inviting person and the applicant;
  - iii. the inviting person's ID number and personal identification code in the Member State concerned (if applicable);
  - iv. date and signature.
- (c) If an employed person: a signed letter from the current employer containing the following information:
  - i. personal data;
  - ii. function/profession;
  - iii. terms of employment (temporary or permanent, begin and end dates of the contract);
  - iv. number of years with employer/organisation;
  - v. granted leave days;
  - vi. date and contact details.
- (d) If a self-employed person, submit copy of Kenya PIN Certificate.
- (e) If a retired person, documents proving pension or other financial support.
- (f) Any other documents relating to personal ties in Kenya, like marriage certificate, title deeds or lease agreements.

### **4. Travelling for the purpose of medical treatment**

- (a) Official document from the receiving medical institution containing the following information:



- i. Confirming contact with the local medical institution in Kenya;
  - ii. Nature of the treatment;
  - iii. Estimated time for recovery;
  - iv. The need for return visits;
  - v. The cost of treatment;
  - vi. The mention that the patient is accepted;
  - vii. The indication that the treatment can be performed;
  - viii. The indication that the medical institution or doctor agrees with the intended method of payment.
- (b) Proof of sufficient financial means to pay for the medical treatment and related expenses for the stay (including accommodation, if relevant) or proof of prepayment for the treatment; or
  - (c) Formal commitment letter signed by the party covering the expenses of the treatment.
  - (d) Certificate from a Kenyan medical institution confirming the need for the person to be accompanied, if relevant.
  - (e) If an employed person, signed letter from current employer or organisation containing the following information:
    - i. personal data;
    - ii. function/profession;
    - iii. terms of employment (temporary or permanent, begin and end dates of the contract);
    - iv. number of years with employer/organisation;
    - v. granted leave days.
  - (f) If a self-employed person, submit copy of Kenya PIN Certificate.
  - (g) If a retired person, documents proving pension or other financial support.

## **5. Travelling for purpose of sport events**

- (a) Signed letter of invitation. The invitation must contain the following information:
  - i. personal data;
  - ii. the name and date(s) of the event in the Member State;
  - iii. if the event organisers will cover any expenses;
  - iv. date and contact details.
- (b) If part of a group or representing an organisation, a dated and signed letter from the group leader or organisation is required, which needs to state the following:
  - i. personal data;
  - ii. if any specific function within the group/organisation;
  - iii. purpose of the visit;

- iv. the name of the responsible person or organisation for the financial support during the period in the Schengen Area.
- (c) Confirmation of participation in the sports event from the relevant Kenyan sports federation.
- (d) If attending a sport event which requires prior registration, proof of registration and receipt for registration fee.

**6. Airport transit**

- (a) Valid visa for the country of next or final destination;
- (b) Proof of the intention of carrying out the onward journey: copy of continuation ticket or reservation, and plausible explanation of routing.