



Visa Requirements in Selected Jurisdictions

Brazil • Canada • China • European Union
India • Ireland • Mexico

June 2011

LL File No. 2011-006087
LRA-D-PUB-000134

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VISA REQUIREMENTS IN SELECTED JURISDICTIONS

Overview¹

Visa requirements in many nations vary depending on the country of origin of the potential entrant. Canada, the European Union, Ireland, and Mexico do not require U.S. citizens to obtain visas for entry, but do have such a requirement for certain other nations. China exempts citizens of some countries from the visa requirement if their stay is short; U.S. citizens traveling in groups to some parts of the country are exempt. Brazil and India do require U.S. citizens to have visas.

In cases in which a visa is required, some countries are moving toward online, rather than paper applications. Brazil and Ireland are examples of countries encouraging digital applications. Canada makes the application forms available online, but requires potential entrants to download the paperwork and submit applications in hard copy. China requires the application to be done in paper form. For the EU, procedures vary depending on the primary country to be visited, even within the Schengen common travel territory (or if no one country is primary, the initial point of entry into the common region); in general, either an online or a walk-in application is acceptable. In some EU countries, an interview may be required.

Ireland has recently begun collecting biometric data for applicants from some jurisdictions, and Schengen region countries must collect such data from visa applicants. Brazil, Canada, and India do not collect biometric information from applicants.

Health requirements may depend on the country of origin. There may also be recommendations for inoculations for particular destinations within the country entered. For instance, travelers from some countries must show proof of yellow fever inoculation to enter Brazil, and if they are going to certain regions of Brazil, such inoculation is recommended. No medical screening is carried out by India.

More detailed summaries of visa requirements for U.S. citizens traveling to Brazil, Canada, China, the European Union, Ireland, India, and Mexico are provided below.

¹ Prepared by Constance A. Johnson, Senior Legal Research Analyst.

Brazil²

The legal situation of foreigners in Brazil is governed by Law No. 6,815 of August 19, 1980 (*Estatuto do Estrangeiro*),³ which is regulated by Decree No. 86,715 of December 10, 1981.⁴ Article 17 of Decree No. 86,715 determines that a tourist visa may be issued to foreigners coming to Brazil for leisure or visiting, as long as it is not for purposes of immigration or paid activities.

U.S. citizens traveling to Brazil are required to obtain a visa prior to entering Brazil. This requirement is in reciprocity to the U.S. government demand that all Brazilian citizens hold a visa in order to enter the United States.⁵

According to the Consulate-General of Brazil in Washington, D.C., with the new Integrated Consular System that was recently installed, visas for citizens wishing to travel to Brazil are now digitally issued. The Consulate-General highly recommends that visa application forms be completed on the Internet, before arriving at the Consulate.⁶

The website for the electronic visa request provides instructions on completing the form and the actual form to be filled.⁷ At the end of the procedure, the completed form should be digitally sent, then printed with the corresponding processing number and brought to the Consulate. Although the form may be completed at the Consulate, it is advisable to do it beforehand—with no hurry and no lines—at home or in any place with an Internet connection.⁸

The Brazilian Consulate-General in San Francisco defines a tourist visa as a visa used for recreational or leisure activities, such as sightseeing and cultural tours; visiting friends or relatives; participation as an attendee or speaker, not paid in Brazil, in scientific or scholarly conferences and seminars (however, a business visa is required for business-related conferences and events); and participation in artistic or amateur sports competitions where no monetary prize or paid admission is involved.⁹

² Prepared by Eduardo Soares, Senior Foreign Law Specialist.

³ Lei No. 6.815, de 19 de Agosto de 1980, website of the Brazilian Presidency, http://www.planalto.gov.br/ccivil_03/Leis/L6815.htm.

⁴ Decreto No. 86.715, de 10 de Dezembro de 1981, website of the Brazilian Presidency, http://www.planalto.gov.br/ccivil_03/decreto/D86715.htm.

⁵ VISAS, GENERAL VISA INSTRUCTIONS, Consulate-General of Brazil in San Francisco, http://www.brazilsf.org/visa_eng.htm.

⁶ VISAS, Consulate-General of Brazil in Washington, DC, http://www.consbrasdc.org/english/service.asp?id_en_service=14.

⁷ MINISTÉRIO DAS RELAÇÕES EXTERIORES, SISTEMA DE CONTROLE E EMISSÃO DE DOCUMENTOS DE VIAGEM, <https://scedv.serpro.gov.br/> (click on “visa request”).

⁸ *Id.*

⁹ *Tourist Visas*, CONSULATE-GENERAL OF BRAZIL IN SAN FRANCISCO, http://www.brazilsf.org/visa_tourist_eng.htm.

The Brazilian Consulate-General lists the following requirements for the issuance of a tourist visa:

1. **A valid passport** - original – with the expiration date at least six months after the intended date of arrival in Brazil.
2. **One** Visa Application Form per applicant, completely filled out online, dated and signed by the passport holder or his/her parents/guardians. The application form is found at <https://scedv.serpro.gov.br/>. . . .
3. **One photograph**, passport size, color, front view, no head cover, off-white plain background, taken within the last six months. Snapshots, copies and computer photos will *not* be accepted.
4. **A copy of the round trip or multi-country travel itinerary** (do *not* send the original) or a statement from a travel agency, addressed to the Brazilian Consulate, or an e-ticket confirmation. In all cases, the name of the passenger, the confirmed itinerary, airline/cruise company, flight number/vessel name and dates of arrival in and departure from Brazil must be clearly displayed. It is strongly recommended that visa applicants check the appointment calendar AND keep in mind the processing time when making their travel plans. An already purchased ticket will NOT entitle visa applicant to expedite processing.
5. U.S. citizens must pay a non-refundable **\$140.00 reciprocity fee** (as of June 2010). (This is because the U.S. government charges Brazilian citizens who apply for a U.S. visa a minimum of 2 mandatory fees).
Payment is done at the Consulate on the appointment day.
Cash, personal checks and credit cards are not accepted for the payment of the \$140.00 reciprocity fee. . . .
6. Regardless of nationality, a \$20.00 processing fee will be charged if the application is not presented in person by the passport holder. The fee is waived when parents are applying for their children; children are applying for their parents; and spouses are applying for each other.
7. **All consular fees must be paid in U.S. Postal Service money order** made to the Consulate General of Brazil (if you are applying for a family, one single money order for the total amount is fine). **Cash, personal checks, money orders other than the ones issued by the U.S. Postal Service and credit cards are not accepted.** Fees are paid at the Consulate on the day of the appointment.
8. The International Immunization Certificate against yellow fever will only be required from international travelers coming from countries which pose a risk of international dissemination. Currently there are no countries posing such risk. . . . Nevertheless, yellow fever vaccination is recommended if applicant intends to visit one of the following regions in Brazil: Acre, Amapá, Amazonas, Federal District, Goiás, Maranhão, Mato Grosso, Mato Grosso do Sul, Pará, Rondônia, Roraima, Tocantins.
9. **Minors under 18 years of age:**
 - A copy of the minor’s birth certificate is required in all cases;

- Minors not traveling with both parents/guardians must provide a notarized letter of consent signed by the non-accompanying parent(s)/guardian(s) authorizing the Consulate to issue a visa;
- A certificate of vaccination against polio is required for children between ages of three months and six years. A signed letter from the child's physician is required if the child cannot be inoculated.¹⁰

Besides the listed requirements, the Brazilian Consulate-General provides the following additional information:

A. **The requirements listed herein should not, in any way, be considered all-inclusive.** Additional information, documents and a personal interview may be required.

B. **The type of visa and its terms of validity are decided by the Consulate, at its own and sole discretion.** As a basic rule, both the type and the duration of a visa are results of an analysis made by the Consulate of the documentation presented by the applicant in support of his/her declared activities in Brazil.

C. Tourist visa applications must be submitted in one of the following ways:

- if the applicant lives in our jurisdiction: in person (by the applicant), or by an authorized third party (a family member, friend, co-worker, travel agency, or visa service);
- if the applicant lives in other jurisdictions: in person (by the applicant).

– . . . Visa applicants must set up individual appointment to deliver the visa applications previously filled out online. . . .

– The Consulate General **does not accept visa applications sent by mail.**

– Nevertheless, an applicant's **passport may be returned by mail** if the applicant or his/her representative leaves a self-addressed pre-paid envelope from the U.S. Postal Service (Express Mail only) at the moment the application is delivered at the Consulate (we can return a maximum of four passports in one single envelope).

– **The Consulate does not receive and it will not send envelopes transported by FedEx, UPS, DHL and other private carriers.** The Consulate is not responsible for passports lost in the mail.

– **Applicants who live in our jurisdiction and cannot come to the Consulate may wish to pay a visa service/visa agency to help them process their visa applications.** The Consulate has no commercial ties with any visa service/visa agency/travel agency and the Consulate's employees are not allowed to recommend any of these companies in particular.

D. **After all documentation is received by the Consulate, tourist visa applications take at least 5 (five) working days to be processed.** Longer periods may apply. The Consulate has no rush/expedite service or fees.

E. **Brazilian tourist visas are valid for multiple entries within the period of time shown on the visa stamp.** Unless specified otherwise, Brazilian tourist visas allow for stays (one or multiple) in Brazil for a combined total of 90 days during the one-year

¹⁰ *Id.* (emphasis in original).

period following the date of the first entry. A one-time extension of up to 90 days may be granted **in Brazil** by the Brazilian Federal Police Department (*Delegacia de Estrangeiros*).

F. Some restrictions apply to the performance of volunteer work, religion related activities, and attendance of or teaching at educational/community establishments when combined with tourism. Full disclosure of all intended activities must be provided by the applicant at the time of submission of the visa application form. Use extra paper if necessary to detail all your intended activities and to identify the party(ies) in Brazil – including name, address, phone number, and visa status, if a foreign national sponsors/organizes/provides those activities. The performance of any health related activity (medical, dentistry, nurse, etc) is subject to prior approval by Brazilian local authorities.

G. It is in the best interest of any foreigner to enter Brazil with a visa that allows for the performance of his/her intended activity in the country. Tourist visa holders are not allowed to engage in any paid activity in Brazil. The performance by holders of tourist visas of acts involving the purchase or management of business, including rural land, may be nullified before a Brazilian court of law. If you intend to perform any such activity during your stay in Brazil, even if combined with tourism, you need another type of visa.

H. Visa applicants must set up an individual appointment to deliver the visa applications previously filled out online. Each appointment slot allows you to make **ONE SINGLE application**. The scheduling page offers you options of dates and time slots. If the desired date and/or slot is not available, select another date and/or time slot. Click here to go to the scheduling page.

I. [Provides link to general information about visas.]

J. [Provides link to frequently asked questions about visas.]¹¹

Canada¹²

Canada's Immigration and Refugee Protection Act requires all visitors to Canada to obtain a Temporary Resident Visa except those from countries for which an exemption has been granted.¹³ Citizenship and Immigration Canada (CIC) has published a list of nonexempt countries whose citizens are required to obtain a visa to visit Canada.¹⁴ The United States is not on this list, and consequently United States citizens do not need to obtain a visa to enter Canada. United States citizens are required to produce valid United States passports.

¹¹ *Id.* (emphasis in original).

¹² Prepared by Stephen F. Clarke, Senior Foreign Law Specialist.

¹³ Immigration and Refugee Protection Act, 2001 S.C. ch. 27, § 11, <http://laws-lois.justice.gc.ca/eng/acts/I-2.5/page-4.html#h-7>.

¹⁴ *Countries and Territories Whose Citizens Require Visas in Order to Enter Canada as Visitors*, CITIZENSHIP AND IMMIGRATION CANADA, <http://www.cic.gc.ca/english/visit/visas.asp> (last modified Nov. 17, 2010).

In determining whether to impose a visa requirement on a country, CIC looks to such factors as the number of refugee applications from that country and the number of immigration violations committed by citizens of that country. Such violations can include improper documentation and overstaying visas.¹⁵

Persons who need a visa to enter Canada must obtain a visa application package. This can be downloaded, but must be submitted in paper along with required documents such as a passport, photographs, fees, and any other form specified for certain types of visitors or visitors from certain countries. Canada does not currently require applicants to submit biometric information.¹⁶ Canada has, however, recorded biometric information from visitors in field tests.¹⁷

Immigration officials are authorized to require applicants for an immigration visa to come to a Canadian embassy or consulate for a personal interview, and they have discretion to conduct background checks and require medical clearance.¹⁸ Persons from visa waiver countries, including the United States, are also subject to these discretionary powers. Background checks for criminal activity are usually conducted at Canadian border crossings. Proof of financial support is sometimes required. Personal interviews and medical clearances are rare.

China¹⁹

China's Law on Control of the Entry and Exit of Aliens generally requires all visitors to apply for visas to enter China, unless the visa agreement between China and the visitor's foreign country provides otherwise.²⁰ In cases where another country has special provisions for Chinese citizens entering and transiting that country, the Chinese authorities may adopt reciprocal measures contingent on the circumstances.²¹ Visas are not required for aliens in immediate transit on connecting international flights who hold passenger tickets and stay in China for no more than twenty-four hours entirely within airport boundaries.²²

¹⁵ *Frequently Asked Questions: Why Is Canada Imposing a Visa on Mexico?*, CITIZENSHIP AND IMMIGRATION CANADA <http://www.cic.gc.ca/English/information/faq/visit/mexicanvisit-faq01.asp> (last modified July 13, 2009).

¹⁶ *Visiting Canada: Temporary Resident Visas—How to Apply*, CITIZENSHIP AND IMMIGRATION CANADA <http://www.cic.gc.ca/english/visit/apply-how.asp> (last modified Jan. 10, 2011).

¹⁷ *Biometrics*, CITIZENSHIP AND IMMIGRATION CANADA <http://www.cic.gc.ca/English/department/biometrics.asp> (last modified Mar. 7, 2011).

¹⁸ *Visiting Canada: Temporary Resident Visa—After Applying*, CITIZENSHIP AND IMMIGRATION CANADA <http://www.cic.gc.ca/english/visit/apply-after.asp> (last modified Jan. 10, 2011).

¹⁹ Prepared by Laney Zhang, Senior Foreign Law Specialist.

²⁰ *Zhonghua Renmin Gongheguo Waiguoren Rujing Chujing Guanli Fa* [Law of the People's Republic of China on Control of the Entry and Exit of Aliens] (promulgated by the Standing Committee of the National People's Congress on Nov. 22, 1985, effective Feb. 1, 1986), art. 6, <http://www.fmprc.gov.cn/chn/pds/fw/lsw/fgzl/t267621.htm> (in Chinese).

²¹ *Id.*

²² *Id.*

Under the current visa policy, nationals of Singapore, Brunei, and Japan are exempted from visa requirements for up to fifteen days when visiting China for tourism, business, or to see friends and relatives.²³ Visitors from the United States may be exempted when visiting two specific areas in south China for up to six or fifteen days, respectively, if they participate in international tourist groups that satisfy certain conditions specified by the visa policy.²⁴ Foreign students, workers, and resident foreign journalists may enter and exit China without applying for another visa so long as their Stay Permits are valid.²⁵

A two-page visa application form must be submitted in paper, together with required documents such as a passport, photograph, visa fee, and other specified documents applicable to certain categories of visitors.²⁶ The form may be downloaded and is bilingual in both Chinese and English.²⁷ For U.S. visitors, there is no requirement for a personal interview unless specifically requested by visa officers, and U.S. visitors do not need to submit their application in person, but may entrust others to drop it off at the visa office. No appointment is required.²⁸ Requirements for biometrics, medical screenings, and background checks have not been located.

European Union²⁹

All European Union Countries except the UK and Ireland have signed the Schengen Agreement, which establishes a “Schengen Area” that “represents a territory where the free movement of persons is guaranteed.”³⁰ Moreover, “the signatory states to the agreement have abolished all internal borders in lieu of a single external border. Here common rules and procedures are applied with regard to visas for short stays, asylum requests and border controls.”³¹

United States citizens traveling into the Schengen Area as tourists or visitors are exempt from acquiring a visa for a short stay of up to ninety days or while transiting the Schengen Area. United States citizens are only required to produce a United States passport “valid three months

²³ *Visa to China*, EMBASSY OF THE PEOPLE’S REPUBLIC OF CHINA IN THE UNITED STATES OF AMERICA, <http://www.china-embassy.org/eng/ywzn/lsyw/vpna/rap/t710627.htm> (last visited June 23, 2011).

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ Prepared by Tariq Ahmad, Foreign Law Specialist.

³⁰ *The Schengen Area and Cooperation*, EUROPA, http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l33020_en.htm (last visited June 24, 2011).

³¹ *Id.*

beyond the proposed stay.”³² Citizens of thirty-one countries are exempt from a tourist or visiting visa.³³

Citizens of countries not on the exempt list are required to apply for a Schengen visiting visa. Visitors traveling to only one Schengen country must apply at the Embassy or Consulate of that country. If visitors intend to visit a number of Schengen countries, they must apply for a visa at the Embassy or Consulate of the country that is their *main destination* or where they *intend to stay the longest*. If applicants intend to visit several countries but do not have a central destination, they should apply for a visa at the Embassy or Consulate of the country that is their *initial point of entry*.³⁴ Therefore, some of the application requirements may vary slightly from country to country depending on where one submits a visa application.

Most EU jurisdictions allow for an online application or a walk-in service. A personal interview can be requested of the applicant.³⁵ Signatories of the Schengen Agreement are obliged to collect biometric data as part of the visa application process (issued visas will contain biometric data, including a digital photograph and digital fingerprints).³⁶ No medical screening is necessary but travel/medical insurance valid throughout the Schengen area is required.³⁷ A background check is not required for a tourist Schengen visa, but is required for longer stay visas such as student or temporary residency visas.³⁸

India³⁹

United States citizens are required to apply for a visa in order to travel to India as tourists. According to the VFS Global website (the official company that all of India’s Visa Applications have been outsourced to in the UK), “[a]ll foreign nationals, including children, require a visa to enter India. The only exceptions are nationals of Nepal and Bhutan who can enter India without a visa. (Note: Nepalese nationals need a visa if entering India from China).”⁴⁰

³² *Schengen Fact Sheet*, TRAVEL.STATE.GOV, http://travel.state.gov/travel/cis_pa_tw/cis/cis_4361.html (last visited June 24, 2011).

³³ *List of Schengen Visa Exempted Nationalities*, EMBASSY OF FRANCE IN DUBLIN, http://www.ambafrance-ie.org/IMG/pdf/List_of_Schengen_visa_exempted_nationalities-2.pdf (last visited June 24, 2011).

³⁴ *Where to Apply for a Schengen Visa?*, THE NETHERLANDS EMBASSY, <http://www.dutchembassyuk.org/consular/index.php?i=58> (last visited June 24, 2011).

³⁵ *Schengen Information*, NETHERLANDS VISA, <http://www.vfs-nl-in.com/Impinfo.aspx> (last visited June 24, 2011).

³⁶ *General Information on Short Stay Visas*, EMBASSY OF BELGIUM IN WASHINGTON, DC, <http://www.diplobel.us/travelingbelgium/visas/visitors.asp> (last visited June 24, 2011).

³⁷ *Id.*

³⁸ *Visa For Students (Higher Education)*, THE EMBASSY OF BELGIUM IN WASHINGTON DC, <http://www.diplobel.us/TravelingBelgium/Visas/Students-HigherEducation.asp> (last visited June 24, 2011).

³⁹ Prepared by Tariq Ahmad, Foreign Law Specialist.

⁴⁰ *All About Your Visas*, VFS GLOBAL, <http://in.vfsglobal.co.uk/aboutyourvisas.html> (last visited June 24, 2011) (search by country of origin).

Under a bilateral agreement U.S. citizens can opt for a five- or ten-year tourist visa.⁴¹ However, “[t]here should be a gap of at least 2 months between two separate visits to India on a Tourist visa. For Tourist visa holders who wish to visit India within 2 months of their last visit, an application for a Permit to Re-enter India is necessary.”⁴² Moreover, “on each visit [the] maximum period of stay in India is limited to 6 months (180 days).”⁴³ All non-U.S. citizens are only eligible “for up to a Six (6) month Tourist visa.”⁴⁴

The application for a tourist visa is an online and mail-in process, or it can be submitted in person. A biometric system has yet to be introduced for all applicants. The Indian Embassy or Consulate can require an applicant to attend an interview.⁴⁵ There does not appear to be any medical screening requirement for tourist visa applicants. Currently India does not operate a visa waiver or exemption program; however, India has recently introduced a “Tourist Visa on Arrival” system in order to “to facilitate Bonafide foreign tourists who plan their tours at a short notice.”⁴⁶ The India government has “decided to introduce this program for a period of one year with immediate effect for citizen of five countries viz. Finland, Japan, Luxembourg, New Zealand, and Singapore.”⁴⁷ The Tourist Visa on Arrival for the above five countries is for a single entry and valid only for thirty days, and is only issuable at the Delhi, Mumbai, Chennai, and Kolkata airports.⁴⁸ Beginning January 1, 2011, the Indian government expanded the Tourist Visa on Arrival program to include citizens of Cambodia, Vietnam, Philippines, Laos, and Myanmar.⁴⁹

Ireland⁵⁰

Ireland’s Immigration Act 2004 requires all visitors to Ireland to have a visa.⁵¹ However Statutory Instrument (S.I.) Number 146 of 2011, the Immigration Act 2004 (Visas) Order 2011,

⁴¹ *India Visa Requirements*, TRAVISA OUTSOURCING: INDIA VISA CENTER, <https://indiavisa.travisaoutsourcing.com/requirements/display> (input information and click “continue”) (last visited June 24, 2011).

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Processing Time*, VFS GLOBAL, <http://in.vfsglobal.co.uk/processingtime.html> (last visited June 24, 2011).

⁴⁶ *Important News & Notices: Introduction of “Tourist Visa-on-Arrival,”* VFS GLOBAL, <http://in.vfsglobal.co.uk/news.html> (click on “Introduction of ‘Tourist Visa-on-Arrival’”) (last visited June 24, 2011).

⁴⁷ *Id.*

⁴⁸ *Introduction of “Tourist Visa-on-Arrival,”* HIGH COMMISSION OF INDIA IN LONDON, http://www.hcilondon.in/visa_on_arrival.php (last visited June 24, 2011).

⁴⁹ VFS GLOBAL, *supra* note 45.

⁵⁰ Prepared by Stephen F. Clarke, Senior Foreign Law Specialist, with assistance from Law Library Intern Róisín Fitzpatrick.

⁵¹ *Immigration Act 2004* § 4, IRISH STATUTE BOOK, <http://www.irishstatutebook.ie/2004/en/act/pub/0001/index.html>.

lists a number of countries under Schedule 1 that are exempt from the requirement of obtaining a visa.⁵² The United States is on this list and consequently, United States citizens are only required to have a valid U.S. passport to visit Ireland for stays of up to three months. All non-EU citizens, whether required to have a visa or not, are subject to ordinary immigration controls at the port of entry.⁵³

Citizens of countries that are not exempted under Schedule 1 of S.I. 146 of 2011 must complete an online visa application form. The required supporting documentation, passport photograph, and appropriate fee must also be submitted along with the application. There are different types of visas, including the Visit/Holiday Visa, Business Visa, Conference Visa, and Study Visa, and a work permit is normally required for non-European Economic Area citizens seeking employment. Starting in March 2010, the Irish Government began collecting biometric data in the form of fingerprints as part of the Visa Application Process.⁵⁴ The collection of biometric data commenced in Nigeria in March 2010 and is likely to be rolled out in other locations at a later date.⁵⁵

An Irish visa is not an entry permission in itself but is rather a document giving permission to present at a port of entry to seek admission to the State.⁵⁶ Having a visa might not be sufficient to gain entry to the State if the Immigration Officer at the port of entry, who makes the actual decision as to whether to permit entry, reasonably forms the view that entry should be refused.⁵⁷

Ireland is in the process of setting up a Short-Stay Visa Waiver Programme, which will run from July 1, 2011, to October 31, 2011.⁵⁸ The program will run as a pilot but may be amended or expanded at any point depending on the results of the pilot.⁵⁹ The program was announced by the Irish Government as part of its Jobs Initiative with a view to promoting tourism from emerging markets.⁶⁰ However, it will only affect fourteen of the countries whose nationals currently require a visa to enter Ireland and therefore does not affect American nationals.⁶¹

⁵² S.I. No. 146 of 2011, Immigration Act 2004 (Visas) Order 2011, sched. 1, IRISH STATUTE BOOK, <http://www.irishstatutebook.ie/2011/en/si/0146.html>.

⁵³ *Visa Services*, DEPARTMENT OF FOREIGN AFFAIRS AND TRADE, <http://foreignaffairs.gov.ie/home/index.aspx?id=8605> (last visited June 23, 2011).

⁵⁴ *Biometrics – Frequently Asked Questions*, IRISH NATURALISATION AND IMMIGRATION SERVICE, <http://www.inis.gov.ie/en/INIS/Pages/WP10000006#4> (last visited June 23, 2011).

⁵⁵ *Id.*

⁵⁶ *Visa Services*, DEPARTMENT OF FOREIGN AFFAIRS AND TRADE, *supra* note 53.

⁵⁷ *Id.*

⁵⁸ *The Short-stay Visa Waiver Programme*, IRISH NATURALISATION AND IMMIGRATION SERVICE, <http://www.inis.gov.ie/en/INIS/Pages/WP1000005> (last visited June 22, 2011).

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*

Mexico⁶²

Mexico's Law of Migration provides that the Mexican government has the authority to determine the countries whose citizens do not need a visa to enter Mexico.⁶³ The website of Mexico's National Institute of Migration provides a list of such countries and indicates that United States citizens who visit Mexico for tourism or business purposes for up to 180 days do not need to obtain a visa.⁶⁴

Foreigners must present a passport to enter Mexico.⁶⁵ In addition, U.S. citizens who wish to visit Mexico for tourism or business purposes for up to 180 days must complete a migratory form known as FMM ("*Forma Migratoria Múltiple*," roughly translated as "Multiple Migratory Form"), which can be obtained from airlines in the case of arrival in Mexico by air, or at entry points to Mexico if arrival is by sea or land.⁶⁶ In addition, tourists, including those from the United States, must pay a fee of \$261.89 pesos (approximately US\$22.40).⁶⁷ Tourists who use ground transportation to visit Mexico for up to seven days are not required to pay this fee, however.⁶⁸

Immigration officials have the authority to conduct background checks and, at their discretion, deny foreigners entry into Mexico.⁶⁹ Mexico's Department of Health may establish health requirements applicable to foreigners who wish to enter Mexico.⁷⁰ Mexico's Law of Migration does not appear to require formal interviews with foreigners who visit Mexico, but this law provides that immigration officials may request information from foreign visitors.⁷¹ Formal interviews are required for foreigners who come from countries whose citizens need a

⁶² Prepared by Gustavo Guerra, Senior Foreign Law Specialist.

⁶³ Ley de Migración [Law of Migration], art. 37-III(a), Diario Oficial de la Federación [D.O.], May 25, 2011, available on the website of Mexico's House of Representatives, at <http://www.diputados.gob.mx/LeyesBiblio/pdf/LMigra.pdf>.

⁶⁴ *Países y regiones que No Requieren Visa para Viajar a México* [Countries and Regions Whose Citizens Do Not Require Visa to Travel to Mexico], INSTITUTO NACIONAL DE MIGRACION, http://www.inm.gob.mx/index.php/page/Paises_No_Visa (last visited June 22, 2011).

⁶⁵ Law of Migration art. 37-I(a).

⁶⁶ *Trámites migratorios*, INSTITUTO NACIONAL DE MIGRACION, <http://www.inm.gob.mx/index.php/page/Tramites> (last visited June 22, 2011).

⁶⁷ Ley Federal de Derechos, *as amended*, art. 8 (I), D.O., Dec. 31, 1981, available at <http://www.diputados.gob.mx/LeyesBiblio/pdf/107.pdf>. See also *Pago de Derechos [Payment of Fees]: Derecho de No inmigrante [Fees for Nonimmigrants (Aéreo, Marítimo y Terrestre [Air, Sea and Land])*, INSTITUTO NACIONAL DE MIGRACION, http://www.inm.gob.mx/index.php/page/D_N_I (last visited June 22, 2011).

⁶⁸ *Id.*

⁶⁹ Law of Migration art. 43.

⁷⁰ *Id.* art. 27-II.

⁷¹ *Id.* art. 37-II.

visa to enter Mexico, and for foreigners who visit Mexico for purposes other than business or tourism or for stays longer than 180 days.⁷²

In order to apply for a visa, a personal appearance at a consular office is required. Biometric data are not required from U.S. citizens who wish to visit Mexico for tourism or business purposes for up to 180 days, but are required for foreigners who wish to stay in Mexico for more than 180 days.⁷³ Biometric documents are issued to these foreigners.⁷⁴ Visas may be issued electronically or in paper.⁷⁵

⁷² Acuerdo por el que se expide el Manual de Criterios y Trámites Migratorios del Instituto Nacional de Migración [Procedural Manual of Mexico's National Institute of Migration], D.O., Jan. 29, 2010, *available at* http://www.inm.gob.mx/static/marco_juridico/pdf/manuales/03_MANUAL_DOF_29-ENE-2010.pdf (last visited June 24, 2011).

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ Law of Migration art. 3-XXX.